



This is a digital copy of a book that was preserved for generations on library shelves before it was carefully scanned by Google as part of a project to make the world's books discoverable online.

It has survived long enough for the copyright to expire and the book to enter the public domain. A public domain book is one that was never subject to copyright or whose legal copyright term has expired. Whether a book is in the public domain may vary country to country. Public domain books are our gateways to the past, representing a wealth of history, culture and knowledge that's often difficult to discover.

Marks, notations and other marginalia present in the original volume will appear in this file - a reminder of this book's long journey from the publisher to a library and finally to you.

Usage guidelines

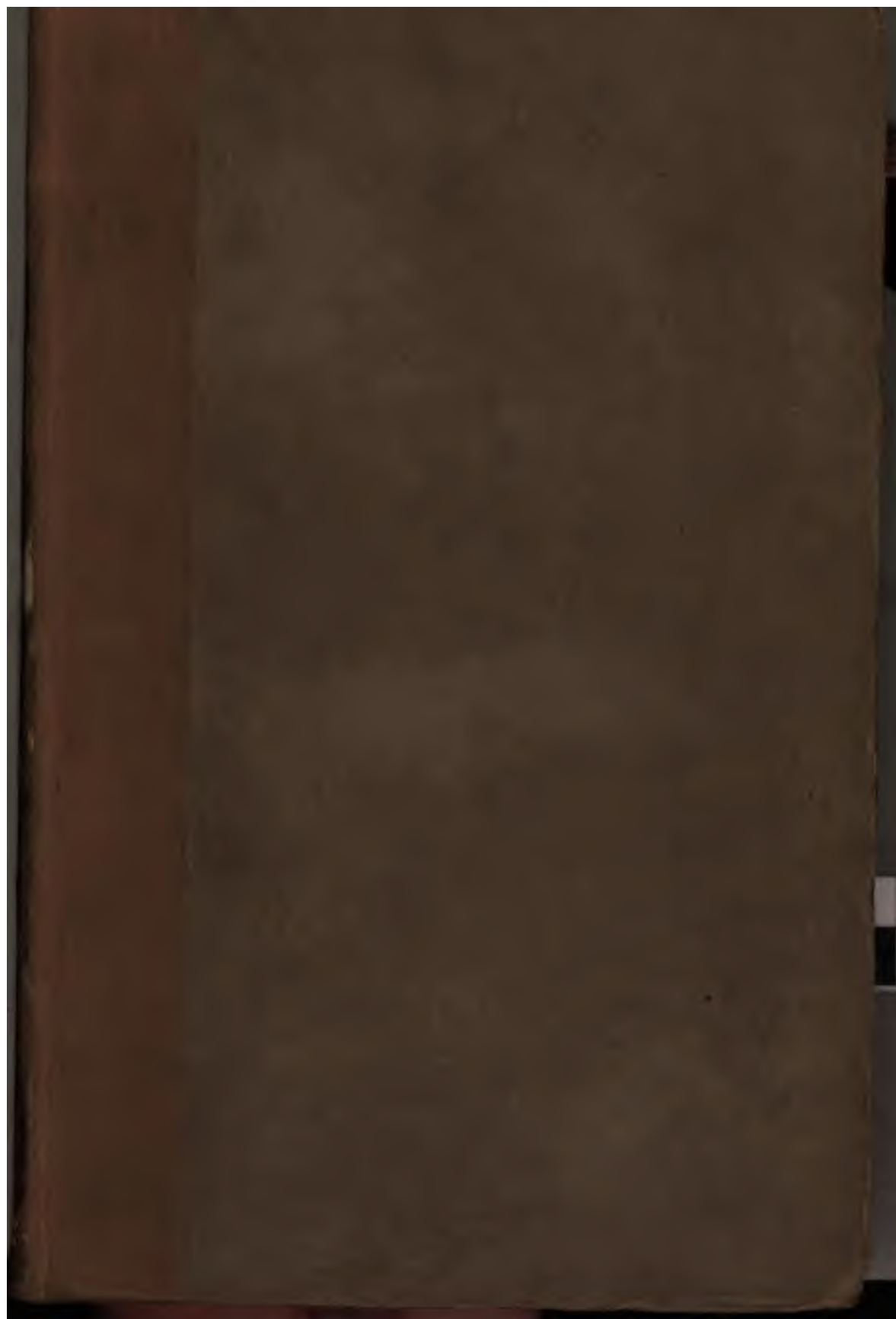
Google is proud to partner with libraries to digitize public domain materials and make them widely accessible. Public domain books belong to the public and we are merely their custodians. Nevertheless, this work is expensive, so in order to keep providing this resource, we have taken steps to prevent abuse by commercial parties, including placing technical restrictions on automated querying.

We also ask that you:

- + *Make non-commercial use of the files* We designed Google Book Search for use by individuals, and we request that you use these files for personal, non-commercial purposes.
- + *Refrain from automated querying* Do not send automated queries of any sort to Google's system: If you are conducting research on machine translation, optical character recognition or other areas where access to a large amount of text is helpful, please contact us. We encourage the use of public domain materials for these purposes and may be able to help.
- + *Maintain attribution* The Google "watermark" you see on each file is essential for informing people about this project and helping them find additional materials through Google Book Search. Please do not remove it.
- + *Keep it legal* Whatever your use, remember that you are responsible for ensuring that what you are doing is legal. Do not assume that just because we believe a book is in the public domain for users in the United States, that the work is also in the public domain for users in other countries. Whether a book is still in copyright varies from country to country, and we can't offer guidance on whether any specific use of any specific book is allowed. Please do not assume that a book's appearance in Google Book Search means it can be used in any manner anywhere in the world. Copyright infringement liability can be quite severe.

About Google Book Search

Google's mission is to organize the world's information and to make it universally accessible and useful. Google Book Search helps readers discover the world's books while helping authors and publishers reach new audiences. You can search through the full text of this book on the web at <http://books.google.com/>





600026093Q



•

•

•

•

THE
L I F E
OF
DR. JOHN FISHER,

BISHOP OF ROCHESTER IN THE REIGN OF KING HENRY VIII.

WITH AN
APPENDIX OF ILLUSTRATIVE DOCUMENTS AND PAPERS.

BY THE REV. JOHN LEWIS, A.M.
AUTHOR OF THE LIFE OF JOHN WICKLIFFE, D.D., BISHOP PECOCKE,
ETC.

*NOW FIRST PRINTED FROM THE ORIGINAL MANUSCRIPT
PREPARED BY THE AUTHOR FOR THE PRESS.*

WITH AN INTRODUCTION,
BY
T. HUDSON TURNER, ESQ.

VOL. II.



LONDON:
JOSEPH LILLY, 19, KING STREET, COVENT GARDEN.
1855.

210. L. 5.

THE
L I F E
OF
DR. JOHN FISHER,
BISHOP OF ROCHESTER.

CHAP. XXIII.

1. *K. Henry dissatisfied about his marrying his brother's widow: the Bishop takes the Queen's part.* 2. *Some account of this matter.* 3, 4. *The King opens his mind to Sir Thomas More, &c.* 5. *Moves at Rome for a divorce.* 6. *Archbishop Warham proposes to the Bishops the King's scruples.* 7. *The King gives the Legates leave to execute their commission.* 8. *The Bishop pleads for the Queen.* 9, 10. *Writes against the divorce.* 11. *So does William Tyndal.* 12. *The King asks the opinion of the University of Cambridge.*

1. **ABOUT** this time the King's *great business*, as it ^{1528.} was commonly called, or his divorce from Q. Katharine, came on the stage, in which our Bishop was very warm and active on the Queen's behalf, insomuch, that he would very freely dispute for the lawfulness of her marriage, and frequently declare his mind in that matter. One instance of this is, that Staphileus, an Italian bishop, being here in England as Pope Clement's ambassador to the King, he, either to make his court the better, or that he was so persuaded in opinion, seemed fully satisfied about the justice of the King's cause: on which account he was sent back to Rome with instructions concerning it, both publick and secret. On this occasion, the Bishop of Rochester and

Strype's
Memor.
Eccles.
vol. 4, p.
200.

CHAP.
XXIII.

one Dr. Marmaduke, one of the King's Chaplain's, were ordered to attend him in his journey so far as Canterbury or Dover. By the way the Bishop and Staphileus happened to talk of the King's divorce, and fell into a dispute about it, in which they were both very warm and earnest. Staphileus took the King's side, and Bishop Fisher the Queen's. But Staphileus had so good an opinion of his own arguments and his management of them, that he thought, at least, he had completely baffled and silenced the Bishop. Of this he sent Cardinal Wolsey an account, and told him he wished he, the King and Queen, had been present to hear this debate, for their satisfaction on both sides; a fuller account of which, he said, Dr. Marmaduke, who was with them, would give him. But Staphileus, it's plain, reckoned too fast: since, as will be seen hereafter, far enough was the Bishop from being convinced, and yielding to the force of his arguments.

Lord Bacon's Life
of K. Hen.
VII. p. 206,
207.

2. The Queen had been married to the King's elder brother Prince Arthur, November 14, 1502, the prince being then about fifteen years of age, and the ladie about eighteen. In the beginning of April following the prince died, and left the princess a young widow. But such expectation was there of her being with child by the prince, who was forward and able in bodie, that it was above half a year after his death before prince Henry was created prince of Wales. The fortune or marriage portion of this princess was two hundred thousand ducats, wherof one hundred thousand were payable ten days after the solemnization of the marriage, and the other hundred thousand at two annual payments: for which her jointure was to be the third part of the principalitie of Wales, and of the dukedome of Cornwall, and of the earldome of Chester, to be after set forth in severaltie. As the prince died without issue, there was a necessity either of sending back the widow to Spain, and consequently of returning the hundred thousand ducats which the King had received, or in case she stayed in England, of giving her the third

part of the principality of Wales, of the dukedom of Cornwall, and of the earldom of Chester, which was settled on her in marriage. Both these things were equally grievous to a prince of Henry's frugal and parsimonious temper. It was therefore projected, that the princess should be contracted to the King's younger son Henry, now prince of Wales. This proposal was agreed to by the King and Queen of Spain, on condition the Pope's dispensation was first procured; for which this necessary reason was alledged, that not only Arthur and Henry were brothers, but moreover that Arthur's marriage with Catharine was solemnized in form and consummated. But against these proceedings Warham, Archbishop of Canterbury, very warmly remonstrated, and told the King plainly, that this match was contrary to the law of God, with which the Pope had no power to dispence. But notwithstanding this the contract was concluded. A bull was procured from Pope Julius II. to dispense with it, in which it was recited, that in a petition lately presented to him, Henry and Catharine had set forth, that Catharine had contracted marriage with the late prince Arthur, *per verba de præsenti*, and that the marriage had been solemnized in form, and she perhaps carnally known by him. However, such an impression the Archbishop's remonstrance seemed to have made on the King, that the very day the prince his son entred on his fourteenth year, he caused him to make in private a protestation against this marriage, though before trusty witnesses, and to declare, that his consent was not voluntary. And not content with this, the King on his death bed strictly charged the prince never to solemnize and consummate this his marriage with Catharine. But notwithstanding all this, Henry being now come to the crown, resolved to marry the princess. This resolution of his is said to be chiefly owing to the counsel of Fox, Bishop of Winchester, our Bishop's great friend and patron. He very much insisted on the Pope's dispensation, and the unlimited power of

CHAP.
XXIII.

CHAP.
XXIII.

Christ's vicar, and positively affirmed, that seeing the Pope had given a dispensation, it was a certain proof that he had the power, and that was enough to satisfy the King's conscience, that no person upon earth could limit or so much as enquire into the papal authority ; and though such a power should be ascribed to a *general council*, yet no English council could pretend to it. To these arguments concerning conscience, the Bishop added others, drawn from reasons of state and the King's interest. He urg'd, that in all likelihood the King would have, during the course of his reign, many disputes with France, England's old enemy ; and whether the war should be *offensive* or only *defensive*, an alliance with Spain was absolutely necessary : that the sending back the princess Catharine after her being contracted, would be an affront to King Ferdinand, which he would certainly revenge, by making a league with France, which could not but endanger England, or, at least, put it to a vast expence : that, besides, if the King refused to consummate his marriage with the princess, he must resolve either to restore her dower, or let her enjoy her settlement ; whereas by marrying her he would save the hundred thousand ducats the King his father had received, get an hundred thousand more, which the King of Spain was to pay, and avoid the charge he would be at in marrying another princess, who could not be brought into England without great expence. The Bishop added, that the princess was of a very sweet and virtuous temper, which was capable of making a husband perfectly happy : and that there was no room to question her being still a virgin, since she herself affirmed as much, and withal offered to submit to be tried by matrons, in order to shew that she spoke the truth.

2. With these sentiments of the Bishop's, which were approved of by a great majority of the council, the King himself closed : so it was resolved, that he should consummate the marriage, which accordingly was publicly solemnized, June 3, 1509 ; and he had several children by

the Queen, who all dyed young, except the lady Mary. After this there appeared no farther disquiet in the King's mind, nor any sign of an intended divorce, till the year 1524, when Cardinal Wolsey, by his legantine mandate, published a bull of the Pope's against those that contracted marriage within the forbidden degrees. This mandate is yet extant in the register of Fisher, Bishop of Rochester. In it is intimated, that Pope Clement V. in the council of Vienna, decreed those to be excommunicated, and not to have the benefit of absolution till they were separated, who, laying aside the fear of God, did knowingly contract marriage within the degrees of consanguinity and affinity contrary to the canonical sanctions, to the peril of their souls; but that the apostolical See, and Roman pontiffs, considering that there might arise grievous scandals if the marriages of this sort knowingly contracted, and by carnal copulation consummated, were dissolved by divorce; to obviate scandals of this nature, and, that the women might not for ever remain defamed, were induced to dispense with those who had knowingly contracted marriages within the degrees prohibited as aforesaid. Upon which many who were desirous to contract marriages within the degrees prohibited, and hoping they should be able to obtain of the apostolic See leave and absolution, and a dispensation, had presumed commonly to contract such marriages, and to consummate them by carnal copulation under such a prospect. To remove therefore this abuse and corruption, the Pope declared his resolution never to dispense hereafter with those who knowingly contracted marriages within the degrees prohibited, although they had consummated them. Whether this bull revived in the King the consideration of his own case, and the advice given to his father concerning it by Archbishop Warham, it seems pretty plain, that from hence commenced the King's shyness towards the Queen; since in 1531 he told Simon Grineus, that he had abstained from her for seven years upon scruples of conscience. How-

CHAP.
XXIII.Coll. No.
*17.

CHAP.
XXIII.Mar. 2,
1526.April 30,
1527.

ever, these scruples the King concealed very carefully from the world for some years; and the immediate occasion of their being made public seems to have been given by the French ambassadors who came to England three years after the publication of this bull, to treat of several matters, and particularly of a marriage between the princess Mary and the French king, or the duke of Orleans his second son. This alternative was at last agreed, tho' it remained some time in suspence, because "the president of the Parliament of Paris doubted, whether the marriage between the king and her mother, being his brother's wife, was good or no." The Bishop of Tarbè made the same objection, and renewed it to the King's ambassadors in France, as appears by the King's speech to the mayor and citizens of London concerning his scruples, where he says, *When our ambassade was last in France, and motion was made that the duke of Orleans should marry our sayd daughter, one of the chief counsaylores to the French king said, it were well done to know whether she be the King of England's lawfull daughter or not; for well known it is, that he begat her on his brother's wife, which is directly contrary to God's law and his precept.* That this counsellor was the Bishop of Tarbè is affirmed by the Bishop of Bayonne, in the account he gives of this speech to the court of France in a letter dated Novemb. 27, 1528: yet this very Bishop of Tarbè was afterwards promoted to be a cardinal, and was so far from retracting his opinion, that when he was Cardinal of Grandemont, he in a letter dated March 27, 1530, thus wrote to the French court: that "he had served the Lord Rochford, Anne Boleyn's father, all he could, and that the Pope had three several times said to him in secret, that he wished the marriage had been already made in England, either by the legate's dispensation, or otherwise, provided it was not done by him, nor in diminution of his authority, under pretence of the laws of God."

3. Others impute these scruples of the King's concern-

ing the lawfulness of his marriage to Cardinal Wolsey's management. Monsieur de Thou tells us that the Cardinal, to be revenged of the Emperor, got the Bishop of Tarbè, the French ambassador, to propose to the King at his audience his contracting affinity with the King of France, by marrying his sister, the widow of Charles duke de Alençon, and to tell him, that he was at liberty from the marriage bond which he had contracted with Katharine, as being what was prohibited by the law of God. Rooper affirms, that the Cardinal not ignorant of the King's inconstant and mutable disposition, meant to make it an instrument to bring about his ungodly intent to withdraw his devotion and affection from the Queen; and accordingly devised to allure the King to cast fancie to one of the French King's sisters; and that for the better achieving therof, he requested Longland the Bishop, being ghostly father to the King, to put a scruple into his Grace's head. This, Tyndal tells us, was then the common report. Polydore Vergil says, that the Cardinal representing Q. Katharine's reproofs of his vicious course of life, consulted with Longland about the lawfulness of her marriage; and that they two having determined that the marriage was unlawful, the Cardinal himself undertook to make the King sensible of it, and to persuade him no longer to continue in a state so dangerous to his soul, his family, and his reputation. But to these different accounts what the King himself told the Pope's legates at the Black Friars seems a proper answer; that so far was either Longland Bishop of Lincoln, or the Cardinal from infusing these scruples into his mind, that they were first occasioned by certain words spoken by the Bishop of Bayonne, as has been already said, and that thereupon he moved the doubts he had about this matter to Bishop Longland his confessor; for he said the French ambassador's having made doubt of, and desired satisfaction about his daughter's legitimacy, on account of the Queen's being his own brother's wife, presently raised such doubts

CHAP.
XXIII.Thouani
Histo. lib. i.Life of Sir
Tho. More.Practise of
Prelate
Marborch,
1530.

CHAP. and scruples in him, that his conscience had been conti-
 XXIII. nually vexed ever since, lest by continuing in that sin after

Rooper's
 Life of Sir
 Thomas
 Moore.

Levit. xx.

knowledge, he should draw God's indignation against him. To the same purpose his Majesty told Sir Thomas Moore, to whom he first opened his mind about this matter before his going ambassador to Cambray, that he was very much affected with those words of Moses, *If a man shall take his brother's wife it is an unclean thing, he hath uncovered his brother's nakedness, they shall be childless* : as if he thought so many of his children dying was owing to his taking his brother's wife. His Majesty likewise observed, that Thomas Aquinas, whom he chiefly valued of all the casuists, was of opinion, that the laws of Leviticus about the forbidden degrees of marriage were moral and eternal, such as obliged all Christians ; and that the Pope could only dispense with the laws of the Church, but not with the laws of God, for this reason ; that no laws can be dispensed with by any authority but that which is equal to the authority that enacted it. Our chronicler, Hall, therefore tells us, that this season, 1527, began a fame in London, that the King's confessor, the Bishop of Lincoln, called Dr. Longland, and divers other great clerks, had told the King, that the marriage between him and the lady Catharine, late wife to his brother prince Arthur, was not good, but damnable.

4. Rooper tells us, that on Sir Thomas Moor's excusing himself as unfit to meddle with such matters, and to give him his opinion of the places of Scripture which the King shewed him as seeming to him to justify the scruples he had, and intimating to his Grace, that it was a case of such importance as to need great advice and consideration, and accordingly desiring him to take time to consider of it advisedly, the King resolved to consult Tunstall and Clarke, Bishops of Durham and Bath, with other learned men of

Life of Bp.
 Fisher, &c.

his privie council. Baily informs us, that the King was pleased to send for the most able bishops and divines that he could think of, to consult with about the lawfulness of

his marriage: and that among all these there was not any one in all his kingdome of whom he had a greater opinion both for honesty and learning, than the Bishop of Rochester: that accordingly he was one of those who upon this occasion was summoned to meet at the Cardinal's house at Westminster, where, after much debating of the businesse, and that the Bishop had fully answered and confuted all the reasons and arguments which were there given and used concerning the validity of the King's marriage, to the satisfaction of most of the bishops, he concluded, that there was no manner of occasion for making any question about it; seeing the marriage betwixt the King and Queen was good and lawful from the beginning, and that therefore it was necessary to remove that scruple from the King's breast as soon as possible, and so this conference was ended. Upon which the Cardinal advised the King to send for the Bishop, and to work upon him by fair means and gentle usage; since all did, and was likely to stick in *him*, as the only remove to his divorce; and that if his Majesty could take him off, all the rest would follow and be concluded by his judgment. This advice of the Cardinal's the King, we are told, followed, and accordingly the Bishop being sent for, and come into the King's presence, his Majestie treated him very courteously, and spoke very kindly to him, and at last took him with him into the long gallery; where having walked some time with him, and much complimented him on account of his great learning and exemplary vertue, he at length in the presence of the dukes of Norfolk and Suffolk, and some bishops that were there, declared his mind to him concerning the business of his marriage which he had now in hand. His Majesty accordingly told him how much his conscience was vexed and disquieted about it, and how, on that account, he had secretly consulted with his ghostly father and several other men, from none of whom had he as yet received any satisfaction. And therefore he said, upon special confidence which he had in his

CHAP.
XXIII.

Lordship's great learning and judgment, he had now made choice of him, to take his advice above that of all others; and therefore he required him to give him his opinion of this matter freely, wherby he might be sufficiently instructed in his conscience, and no longer remain in doubt and suspence.

The Bishop, Baily says, having heard all this, fell immediately upon his knees, and in that posture would have delivered his mind to his Majesty; but the King presently lifted him up with his own hands, and blamed him for offering to kneel: wherupon he spake to the King to the following purpose.

"I beseech your Grace to be of good cheer, and not to disquiet yourself one whit concerning this matter, nor to be dismayed or troubled at this businesse; for there is no heed to be taken of these men who account themselves so wise, and do arrogate to themselves more knowledge and learning in divinity than had all the learned fathers of the Church, and the divines of Spain and England, together with the See apostolic that were in your father's time, by whose authority this marriage was approved, confirmed, and dispensed with as good and lawful. Truly, Sir, my sovereign lord, you rather ought to make it a matter of conscience, than to make any such scruple in so clear and weighty a matter, by bringing it in question, than to have any the least scruple in your conscience; and therefore my advice is, that your Grace with all speed lay aside those thoughts, and for any peril that may happen to your soul therby, let the guilt rest on mine. And this is all that can be said by the loyallest of subjects; and whether I have said well herein or otherwise, I shall not refuse to answer any man in your behalf, whether it be publicly or privately. And I doubt not but there are as many worthy and learned men within your kingdom which are of my opinion, as of the contrary, if they might be permitted to speak with freedom, who hold it a very perilous and unseemly thing

“ that any such thing as a divorce should be spoken of; CHAP. XXIII.
 “ to which side I rather advise your Grace to incline than
 “ to the other.” If this was really the Bishop’s speech to the King, and not made for him by this writer of his life, it must be owned to be an instance of very plain dealing, and a full proof that the Bishop was not afraid constantly to speak what he thought to be the truth, or boldly to rebuke those who opposed it. But I find no notice taken by any other writer of these times of either such a convention of bishops and divines about this affair at the Cardinal’s house, or of the Bishop’s, in particular, being tampered with by the King to favour his divorce. However this be, Baily tells us, that to this advice of the Bishop’s the King replied not one word, but, like one displeased, immediately turn’d his back on the Bishop, went out of the room, and never look’d ^a favourably on the Bishop from that time forward; which, if true, is very different from the manner of the King’s behaviour toward Sir Thomas Moore on the very same occasion. Rooper tells us, that tho’ the King did not very well like of Sir Thomas’s answer and advice to him on his consulting him about this his great matter, as no wise agreeable to his desire, yet he both presently took them in good part, and oftentimes had therof conference with him again. Life of Sir Thomas Moore, MS.

5. The King having, in prosecution of this affair, moved at Rome for his divorce: after many delays there, legates were, at length, appointed to try this cause. A July, 1527. bull for that purpose had, it seems, been granted to the Cardinal, April the 13th, 1528, empowering him and the Archbishop of Canterbury, or any other English bishop to hear, examine, pronounce, and declare concerning the validity of the marriage of King Henry and Queen Katherine, &c. and to give a plenary sentence upon the whole matter, &c. But, however it happened, no use was ever

^a The Bishop himself afterward in a letter to the King observed, that his Grace wrote to him grievous letters, and after that spoke to him the most fearful words for shewing him his mind and opinion in this matter.

Rymer's
Fœdera.
Bp. Bur-
net's Sup-
plement,
&c. p. 37.

CHAP. made of this bull. Another bull was after that desired
 XXIII. and obtained, which bears date June the 8th, from
Viterbo. But, it seems, they did not think they had the
 Pope fast enough tied by this, and therefore they obtained
 from him on the 23d of July a *pollicitation*, or solemn
 promise in the word of a pope, that he would never, nei-
 ther at any person's desire, nor of his own motion, inhibit
 or revoke the commission he had granted to the legates to
 judge the matter of the King's marriage.

6. In the mean time Archbishop Warham, by the
 King's command, called to him such bishops as were in
 town, and proposed to them the King's scruples about his
 marriage; which, it's said, he had conceived in his con-
 science from many and various causes. The paper, drawn
 up, and signed and sealed by them on this occasion, imports
 that the King had not only consulted them, but the Car-
 dinal, and some other prelates of the kingdom, and doc-
 tors of divinity and law, and had sent them, in a little
 book in writing, the reasons and causes which moved his
 Majestie's mind; that they might give him their advice
 for the freeing and extricating his conscience from scru-
 ples of this nature, and establish tranquility, both of body
 and mind to the King, his succession, and kingdom. They
 therfore declare, that having read these reasons, and ma-
 turely examined them, they thought fit to answer, as also
 they did every one of them answer in particular, that the
 King's conscience was agitated and disturbed not without
 very grievous and the greatest of causes: and that it
 seemed to them highly necessary, that in order to a disqui-
 sition of the said cause, the judgment of their most holy
 lord the Pope should be consulted, and that the cause be
 left to his examination for the discussion of it, and be de-
 termined and concluded by his sentence. This paper was
 dated July 1, 1529, and signed and sealed by Warham,
 Tonstall, Fisher, Kite, West, Standish, Longland, and
 Clerk, Bishops of Canterbury, London, Rochester, Car-
 lisle, Ely, St. Asaph, Lincoln, and Bath.

This, Cavendish, who wrote *Memoirs of Wolsey's life*, on memory about thirty years after, and Baily, &c. from CHAP.
XXIII. him, represent as if the Archbishop, by the King's command, required the opinions of all the bishops, under their hands and seals, concerning this matter, and that they all accordingly declared, that *they judged it an unlawful marriage*, except the Bishop of Rochester, who refused to set his hand and seal to this declaration; and that tho' the Archbishop press'd him very earnestly to it, yet he persisted in his refusal, saying, that it was against his conscience; that this afterwards occasioned a dispute betwixt these two prelates in the King's presence. For the King, in his speech to the court, held at the Black Friars, London, about his divorce, referring himself to the Archbishop for the truth of his assertion, that the bishops had declared, as has been now said, under their hands and seals, their opinion of the unlawfulness of his marriage; the Archbishop affirmed it, and added, as Cavendish says, that he doubted not but that all his brethren there present would acknowledge the same. On which the Bishop of Rochester, it's said, replied, *Not so, my lord, you never had my hand to that instrument, nor never shall*. To which the Archbishop, Cavendish tells us, made this shifting answer: that indeed himself wrote the Bishop's name, but that he did it with his consent, who allowed him to do so, and to put his seal to it: both which facts the Bishop denied. But besides, that this is very different from the authentic account given before, it is not at all likely, that Bishop Fisher, who scrupled in his conscience to subscribe this supposed instrument himself, would have consented to so weak an artifice as the letting another do it for him. And supposing he did so, yet it's hard to conceive how the Archbishop, however he might write the Bishop's name without his leave, should come by *his* seal without his knowledge or consent. All the objection that, so far as I see, can be made to this paper, so far as the Bishop is concerned in it, is, that his Lordship's name is not here

CHAP. written as I find it elsewhere. At the bottom of the several
XXIII. pages of his examination, in the subscriptions of his letters his name is written thus, *Jo. Roff's*, whereas here it is written *J. Roff*.

Be this as it will, whilst Cardinal Campegius, whom the Pope had joined with Wolsey in his commission to judge the matter of the King's marriage, was on the road hither, the Emperor's ministers produced an authentic copy of a certain brief of Pope Julius II. by which that Pope confirmed the dispensation of the marriage of Henry with Catherine, *notwithstanding the first marriage of Catherine with Arthur^b had been consummated*: instead of which in the bull of dispensation it was *notwithstanding that the marriage, &c. had been celebrated, and* it may be con-

Life of Sir *summed*. This, I presume, is the brief meant by Rooper, *Tho. More*, which, he says, was found upon search in the treasure of p. 51.

Spain, and was sent to the commissioners in England, to supply the imperfection found in the dispensation. However this be, it was, it seems, intended to make appear by this brief, that Pope Julius was not surprised, seeing he supposed, that the marriage had been consummated. But several reasons are given to prove this brief a forgery.

1. It was not entred upon the register at Rome, nor was there any docket or memorandum of any such instrument. 2. It was not to be met with in the King's paper office, or among the records. 3. The dispensation having been granted at the request of Catherine, that princess could never have alledged, that her marriage with Arthur had been consummated, seeing since the commencement of the process touching the divorce she had affirmed the contrary on oath. 4. According to the date of this brief, December 26, 1503, it must have been granted *ten months before Julius's ^dpromotion to the popedom. On

* eleven.

^b Illudque carnali copula consummaveritis.

^c Illudque carnali copula forsitan consummavissetis.

Novem. 1. ^d Creatus Romæ 37, Cardinalibus Kal. Novem. die Mercurii hora 16,
Novem. 26. coronatus 6 Kalend. Decembris die dominico hora 22, 1503. According to

the other hand, it is said, that this brief was no forgery; or, however, that the English court suspected it was not, is pretty plain from the instructions sent to the King's agents, to dissuade the Pope from sending to Spain for the original; and that as to the date, the Cardinal was not assured of the force of that objection, and therefore advised the ambassadors to examine farther into the matter. For it's said, if the brief could have been proved a forgery, the King must have carried his point, and by consequence would not have been so averse against a *hearing* at Rome.

7. On the 31st of May this year, the King, by a war-
rant under the great seal, gave the legates leave to execute
their commission; upon which they sate the very same day,
and ordered a peremptory citation of the King and Queen
to appear there on the 18th of the next month. On this
occasion the Queen, according to the leave she had given
her, chose the Bishops of Rochester and St. Asaph, and
Dr. Ridley, to be of her counsell, and defend her cause.
Tho' Baily tells us, that the Queen would chuse none at
all, as suspecting the indifferency of such as were the
King's own subjects. Wherfore for fashion sake these
counsellors were assigned her, John Fisher Bishop of Ro-
chester, Henry Standish Bishop of St. Asaph, Thomas
Abell, Richard Fetherstone, Edward Powell, all doctors
in divinity: and of civilians and canonists, William War-
ham Archbishop of Canterbury, Cuthbert Tonstall Bishop
of London, Nicholas West Bishop of Ely, and John
Clerk Bishop of Bath. Of all these the Bishop of Ro-
chester seems to have been most highly esteemed and
valued by the Queen, for his great learning and judgment
in matters of conscience; since it appears by his Lord-
ship's answers some time after, to certain interrogatories

CHAP.
XXIII.

A. D. 1529.
History of
the Reformation,
vol. i. p. 72.

Life of Bp.
Fisher,
ch. ix.

the custom of the court of Rome in dating briefs, the computation, it seems, begins at New Year's day; whereas in the date of bulls it begins at Lady Day. But unless the same reckoning be observed in the registering the Pope's accession, this objection is a nicety only.

CHAP.
XXIII.

Memoirs of
Cardinal
Wolsey, p.
117.

put to him about this great matter of the King's, that she often sent for him, to advise with him about matters relating to her conscience long before this affair of her divorce was set on foot ; and afterwards sent frequent messages to him, and often consulted him. And therefore, as being most privy to her secret thoughts, the Bishop was afterwards asked, whether he had never heard from her that she despaired of God's mercy, or that she had been guilty of perjury in swearing, that she was never carnally known by prince Arthur, but was left by him a pure virgin. To which the Bishop answered, that she never had said any such thing to him. Cavendish tells us, if there be much credit to be given to him, who, it's said, wrote upon memory almost thirty years after, that on the King's counsel producing the evidence of the consummation of the marriage of the Queen with prince Arthur, which he represents as doubtful to be tryed, and what no man knew, the Bishop of Rochester said, *Yes, he knew the truth ; to whom the Cardinal replied, How can you know the truth more than any other person ? Yes, forsooth, My Lord, quoth the Bishop, I know that God is the truth itself, and never saith but truth, and he saith thus, Quos Deus conjunxit, Homo non separet, Whom God hath joined together let no man put asunder. And forasmuch as this marriage was joined and made by God to a good intent, therefore I said I knew the truth, and that man cannot break upon any wilful action that which God hath made and constituted. So much do all faithful men know, replied the lord Cardinal, as well as you, therefore this reason is not sufficient in this case ; for the King's counsel do alledge many presumptions to prove, that it was not lawful at the beginning ; therefore it was not ordained by God, for God doth nothing without a good end ; therefore it is not to be doubted, but if the presumptions be true which they alledge to be most true, then the conjunction neither was, nor could be, of God. Therefore I say unto you, my lord of Rochester, you know not the truth, unless you can avoid their*

presumptions upon just reasons. To which the Bishop made no answer. CHAP.
XXIII.

8. Baily tells us, that the Bishop upon this occasion stood up, and spoke to this effect: *That all this was no more than what had formerly been deposed, and thoroughly debated by the best and learnedst lawyers that could possibly be got: that himself very well remembered the time, and was not ignorant of the manner of their proceedings, when all these allegations, in respect of what was then produced to the contrary, were adjudged vain and frivolous, upon which the marriage was concluded, and afterwards approved and ratified by the See apostolic, and that in so large and ample a manner, as that he thought it very hard now again to call the same in question before another judge; which, I believe, will be thought more to the purpose than what is said above.*

9. Not content with thus pleading for the Queen in person, the Bishop wrote a 'defence of her marriage in opposition to the divorce in the Latin tongue. Of this we are assured by Robert Wakefield, the Bishop's Hebrew tutor, who on this occasion opposed his Lordship, and quotes a passage from it: tho' the book itself was so effectually suppressed, that I cannot find any one who has ever seen it. In the Cotton Library is a letter of Thomas Cleop. E. 6. Bedyll's, a clerk of the council, and much employed by fol. 168. Mr. Secretary Cromwel, to Bishop Fox of Hereford, the King's almoner; in which he tells his Lordship, that he Coll. No. had delivered all Mr. Fisher's books, late Bishop of Rochester, devised by him in the defense of the King's grace first unlawful marriage, and against his second lawful marriage to the Archbishop of Canterbury, to be seen and weighed by him, and such as gave attendance on him at that time, for the answers to be made to 'Cocleus books

* Sir Thomas Moore informs us that Clerke, Bishop of Bath, and Thomas Abell, who was afterwards condemned as guilty of misprision of treason, on account of the nun of Kent, wrote in defence of the Queen's marriage.

† John Cochleus, who wrote several books against Luther, Melancton,

CHAP.
XXIII.

and others. He likewise told his Lordship, that he had from the father confessor of the monastery of Sion a book of Bishop Fisher's in defence of the King's first marriage. But what he added bears hard on the Bishop, and is a very severe reflection on his conduct. He tells the almoner, that he had the father confessor alone in a very secret communication concerning letters of Fisher's mentioned by father Rainold in his examination, which Fisher assured the King he never shewed to any other man, nor would. Whereas the confessor owned to him, that Fisher had sent copies of these letters of his to him, and to Rainold, and to another brother of their's deceased, whose name he did not remember, directed to the King, and of the King's answer; and that he likewise sent to them with the said copies a book of his, made in defence of the King's first marriage. Baily tells us, that a little before the Bishop's trouble, he gave to the then Prior of Rochester, Walter Philips, (who was afterwards, on the suppression of the priory, made Dean of Rochester, and died 1570) with his own hand, a large volume which his Lordship had compiled, containing in it the whole story and matter of the divorce; but that Philips, on notice being given to him of certain commissioners in the reign of K. Edward VI. being ordered to search his house for books, for fear burnt it; which he afterwards very much regretted and lamented. Whether this was the same with that mentioned by Wakefield I cannot say. But be this as it will: Wakefield tells us, that Rochester, in a little book which he wrote against the divorce of Q. Catherine, has these things concerning a certain text of Leviticus. "This is not in the Hebrew original nor in the Chaldee

Hody de
bibliorum
texti: p.
467.

Calvin, and Velenus, &c. and a letter of invective, wherein he reflected on K. Henry, directed to the King himself. For thus Sir Richard Morysine, a gentleman of his bed-chamber, entituled his book which he wrote in defence of his Majesty, and dedicated to Mr. Secretary Cromwell, *Apomaxis calumniarum convitiatorumque quibus Johan. Cochleus—Henrici VIII. nomen obscurare, rerum gestarum gloriam fœdare, est edita, non tam ad Regem quam in Regis invidiam, epistola studuit.*

“ translation, nor in the seventy in Greek ; but, which not
 “ rarely happens, thro’ the unskilfulness of the copier, that
 “ which was written by some one as a note in the margin,
 “ has been inserted in the text. And since this is neither
 “ found in the seventy, nor in the Hebrew nor Chaldee, it
 “ is plain, that by no means it ought to be received for
 “ Holy Scripture.” To which Wakefield thus replied :
 “ Because, reverend father, sais he, you have here called
 “ me off from the streams i. e. the translations to the foun-
 “ tain of the Hebrew veritie, in which you fancy yourself
 “ skilled, and would willingly be thought so by others, I
 “ very gladly and freely accept the condition. Do you
 “ therfore take care how you hereafter oppose the Hebrew
 “ verity, and object the lakes and corrupted marshes to
 “ me, who about eighteen years since taught you, and our
 “ common friend * Thomas Hurskey, Hebrew, contrary to
 “ your own order, and the law which you have made.”

By a letter from Lee, then Bishop elect of Litchfield and Coventry, it appears, that when the Bishop was afterwards in trouble for refusing to take the oath of succession, his Lordship offered to swear never to meddle more in disputation of the validity or invalidity of the marriage with the lady dowager, as Q. Catharine was then called, for “ as for the case of the Levitical prohibition, Lee said, “ his conscience was so knit, that he could not send it off “ from him whatsoever betided him.”

10. What the Bishop’s sense of this matter was, he briefly explained in a letter sent by him to Cardinal Wolsey at the beginning of this dispute. To this purpose he expressed himself; that “ having consulted all those “ speechless masters which he had by him, and diligently “ discussed their opinions, and weighed their reasons, he “ found there was a great disagreement among them, a “ great many asserting, that it was prohibited by the “ divine law, whilst others, on the contrary affirmed, that

* D. Thomam Hurskey totius Ordinis Gilbertinensium præfectum venerabilem, patriæque nostræ post te jubar atque decus.

CHAP.
XXIII.

“ it was by no means repugnant to it : and that truly hav-
 “ ing weighed the reasons on both sides in an even scale,
 “ he thought he saw it easy to unravel all the arguments
 “ which they produce who deny it to be lawful by the
 “ divine law, but not so easy to answer the others : so
 “ that he was fully persuaded, that it cannot be proved by
 “ any solid reason, that it is prohibited, by the divine law
 “ now in force, that the brother of a brother deceased
 “ without children shall take his wife : which, if true, as
 “ he did not doubt of its being most certain, who is there
 “ now that considers the plenitude of power which Christ
 “ has conferr’d on the Pope who can deny, that the Pope
 “ may dispense, for some great cause, with a brother of a
 “ brother deceased without issue taking his wife ? But
 “ that granting the reasons on both sides equal, and that
 “ neither weighed down the other, yet would *that* oblige
 “ him to be more inclined and yielding to the Pope’s side :
 “ that he knew it was allowed by both parties, as a part
 “ of the amplitude of the Pope’s power, that it was lawful
 “ for him on hearing the opinions of divines and lawyers
 “ concerning that matter, to interpret ambiguous places of
 “ Scripture : for that otherwise in vain had Christ said to
 “ him, *Whatsoever thou shalt lose on earth shall be losed*
 “ *in heaven, &c.* ; that therfore since it very manifestly ap-
 “ pears, that the Pope has more than once declared by his
 “ proceedings that he may, in the aforesaid case, dispense
 “ with the second brother, this alone would powerfully
 “ move *him* to give his assent, altho’ he had not produced
 “ the best proofs and reasons, but that both parties were
 “ equal in their assertions. But that now, since he plainly
 “ perceived, both that the reasons on their side who de-
 “ fend the Pope’s power in this matter are more convinc-
 “ ing, and that he observed besides in what words, and
 “ how very fully the power is given by Christ to the Pope ;
 “ and that lastly he understood, by the clearest evidences,
 “ that a dispensation of that nature took effect, he had no
 “ scruple remaining ; but that it was lawful for the Pope

"to grant such a dispensation, that a brother may take the
 "wife of another brother that is deceased without issue." CHAP.
XXIII.

By all which it seems pretty plain, that what the Lord
 Bacon observed of this affair is true, that the plenitude of
 the Pope's power of dispensing was the main question. Reign of K.
Henry VII.
p. 206.

11. But they were not only such as defended the plenitude of the Pope's power who now opposed the King's divorce. William Tyndale, who was reckoned by Sir Thomas Moor as much the head of the Protestant party here in England, as Luther was in Germany, the next year after this wrote against it in the following manner; Dialogues,
title-page.
 which, he said, he would have done sooner if he could Practice of
Prelates,
ed. Mar-
bock, 1530.
 have brought it to pass. "The controversy and strife of
 "the matter, and all the doubt and difficultie, he said,
 "standeth in this, that Moses in the xviii. of Leviticus
 "saith, *Thou shalt not unhele the secrets of thy brother's*
 "wife, for ^athey are thy brother's secrets; which is as ^bthat is thy brother's
privite.
 "much as to say, Thou shalt not take thy brother's wife.
 "And in the xxvth. of Deuteronomie he saith, that if a Tyndal's
Transl. of
the Pentat.
 "man die without issue, his brother must marrie his wife:
 "which two texts seem contrary, the one forbidding, and
 "the other commanding to take his brother's wife. But
 "the text is to be understood thus: that Moses forbiddeth Levit. xviii.
20.
 "a man to take his brother's wife as long as his brother
 "liveth; as in the text following, when he forbiddeth a
 "man to take his neighbour's wife, be meaneth while his
 "neighbour liveth: for after his death it is lawfull. And
 "therefore *John rebuked Herod* for taking his brother's
 "wife from him, his brother being yet alive. Or at the
 "uttermost, if they will strive and shew no cause why, it
 "can intend no further than that a man may not take his
 "brother's wife if he have issue by her, which I suppose
 "an indifferent thing to have her or not, as they can agree.
 "But if his brother die childless, that then he ought to
 "have her, and that she is bound to offer herself to the

^a This and what else relates to the divorce in this book is omitted in the edition of it among Tindal's Works reprinted 1573.

CHAP. "other brother by the law of Moses, and that *it is lawful*
 XXIII. "*now tho' no commandement.*"ⁱ According to this deter-
 mination Tyndale stiles the divorce *a plucking the King*
from his righte wife, and imputes it to the Cardinal, as a
 contrivance of his to be revenged of the Emperor for op-
 posing his pretensions to the popedom. He concludes
 with telling us, that "he serched what might be said for
 "their part who were for the divorcement, but could find
 "no lawful cause of himself by any Scripture that he ever
 "red:" and that "if the King's new marriage be not well
 "proved, and go forth with good auctority, so shall we
 * Mary. "yet follow the *pryncess styll; or, if she be sent another
 "waye, some other whom we shall suppose more rightu-
 "ouse enheritour: and so the new prince, or the King's
 "son by his second marriage, if he has any, is like to goo
 "after King Henry of Windsor's ~~prince~~ and King Ed-
 Gerard, ward's children." But to this exposition of the words of
 Loci Com. Moses, which was not Tyndal's alone, it was answered,
 tom. vii. p. that marrying a brother's wife when the brother was yet
 162, col. 1. alive was adultery, and that this was distinctly prohibited
 v. 20 of the same chapter.

It was, it seems, the opinion of those of the Roman Church
 that not all the degrees which were prohibited in the
 xviith. of Leviticus were forbidden by the law of nature,
 but only some of them, *viz.* the marriage of a son with the
 mother, of a father with his daughter, of a brother with a
 sister german, of a brother with a half sister, of a son in
 law with his mother in law, and of a father in law with his
 daughter in law. In the rest of those degrees, the Church,
i. e. the Pope, had, they said, a power of granting dispen-
 sations. Of this opinion Melancton seems to have been
 A. D. 1536. who in his letters to Camerarius, four years after K.
 Henry's divorce, tells him, that "the English had hitherto

ⁱ When brethren dwelle together, and one of them die and have no child,
 the wyfe of the deade shal not be given out unto a straunger; but her bro-
 ther in lawe shall goe in unto her, and take her to wyfe and marry her.
Tyndal's Translation of the Pentateuch.

“disputed about the divorce, and pressed him so sore, CHAP. XXIII.
 “that he had scarce time to breath; that they contended,
 “that the law concerning the not marrying a brother’s Epist. lib. iv. p. 183, 185.
 “wife was not dispensable, whereas it was his and his col-
 “leagues opinion that it was.” On the contrary, Corne- Com. in Levit xviii. ver. 18.
 lius, a Lapide, informs us, that “there were some ^kdoctors
 “in several universities who affirmed, that all the degrees
 “which are rehearsed in the eighteenth chapter of Levi-
 “ticus are so absolutely forbidden by the law of nature,
 “that they void, or make null the marriage, and can’t be
 “dispensed with by the Pope.” But then he adds, “that
 “these doctors were corrupted by the King of England’s
 “angelets:” which is a very short way of confuting their
 arguments. The learned Lutheran, Dr. John Gerard,
 thus determined this question: “that all and singular the Loci Com. to. vii. p. 146, col. 1.
 “prohibitions of the degrees in Leviticus xviii. are not
 “merely Levitical, pertaining only to the positive law, nor
 “only obliging the Jews in the time of the Old Testa-
 “ment, or whilst that lasted, but are of natural right, and
 “oblige Christians also under the New Testament; and
 “that therefore there is no room left for any humane dis-
 “pensation, or for any man’s dispensing with them.” To
 this Cardinal Bellarmine, among other things, objected the
 manifold dissension of the Lutherans in this point from
 one another. He instanced in Wickliff, Luther, Bucer,
 Melancton, and Chemnitius, &c. who, he said, maintained,
 that being a kin in the first degree only was an impedi-
 ment of marriage, and that in the right line, and not in the
 collateral: that only those degrees of kindred forbidden,
 Levit. xviii. were impediments of matrimony, and that ther-
 fore the rest which are added by the Church are to be re-
 jected: that, as it is not lawful by any means to contract
 marriage within the degrees expressed in the xviiith. of
 Leviticus, so neither is any dispensation of the Church to

^k Ratio eorum erat, quod Chananæi contra has leges peccantes puniti sunt
 a Deo, ut patet, v. 24. atqui Chananæi non habebant aliam legem quam na-
 turæ: ergo leges hæc sunt leges Naturæ. *Cornelius a Lapide*, ibid.

CHAP.
XXIII.

be admitted. To this Gerard reply'd, that they all agreed, that the Levitical precepts are of natural right, and therefore admitted of no dispensation; and, that as for what they added of liberty of conscience in human prohibitions, that was to be taken of either the Pope's prohibitions, which don't oblige the conscience, or of the prohibitions of the magistrate, or of a prohibition that hindered the marriage contract, but did not break it. By all which it should seem as if both Luther and Melancton had altered their opinions, that marriage within the degrees here forbidden might be dispensed with; and that it was the common belief of the Lutheran divines, as well as of those who were called Calvinists or the Reformed, that to marry a brother's widow was an incestuous marriage, forbidden by the law of God and of nature, and consequently not to be dispensed with by any man, who has no power by his privileges to make void the commandments of God.

A. D. 1529.
Bp. Burnet's Supplement to the History of the Ref.
p. 63.

12. The same year, or rather the latter end of the last, the King sent his letters dated the 16th of February, to the University of Cambridge, requiring their opinions of what many, he told them, of the greatest clerks in christendom had affirmed in writing, that *the marrying the brother's wife, he dying without issue, was forbidden both by the law of God, and by the law natural*. To consider of, and resolve this question, the senate of the University deputed the *Vice-chancellor and ¹ten Doctors, the two Proctors, and seventeen Masters of Arts, to whom they gave full authority to determine the question proposed to them, and to answer it in the name of the whole University: only the question was to be disputed publicly, and

*Dr. William Bukmaster.

¹ In the form of the Grace proposed on this occasion are set down the names of the Doctors and Masters as follows. The Doctors—Salcot, Watson, Reps, Thomson of Michael Coll. Venetus, Edmonds, Downes, Wygan, Crome and Boston. The Masters—Mydelton, Heynes, Mylesente, Shaxton, Latymer, Symon, Mathew, Lonforthe, Thyxtell, Nycols, Hutton, Skyp, Goodrick, Hethe, Hadway, Deye and Bayne. The two Proctors names were, Swynburne and Blythe.

the determination that they should make was to be read CHAP.
XXIII.
in the hearing of the University. Accordingly, about a March 9.
month afterwards the Vice-chancellor, at a meeting of the
University, or in full senate, reported to them, that the
persons deputed by them had with great care and dili-
gence examined the question proposed to them by the
King, and had considered both the places of Scripture re-
lating to it, and the opinions of expositors or commentators
concerning them: upon which they had likewise had a
public disputation, as was well known to them all; so that
now, after great labour and all possible industry, they were
come to the determination which he was now to read to
them, which was as follows: that *the marrying the bro-
ther's wife deceased without children, she being known by
her former husband by carnal copulation, is prohibited to
us Christians at this day by the divine law, and the law of
nature.* It does not appear, that with this affair the
Bishop of Rochester at all concerned himself as Chan-
cellor: or, that the University any wise applied to him to
have his advice and concurrence. What authority and
influence his Lordship had over this learned body has in
part been shewn already, and will appear further by what
will be said by and by. But the Bishop's opinion of this
question could be no secret to the University, and, per-
haps, the fears of their exposing him yet further to the
King's displeasure might influence them not to interest
him in an affair which was so likely to turn to the disad-
vantage of a man whom they so highly honoured and re-
spected. However this be, Sir Thomas Moore was pleased
to make the following reflection on the bishops and clergy,
and the two Universities, subscribing this opinion, so Rooper's
Life of Sir
Th. Moore,
MS.
directly contrary to his own and the Bishop's, that "it
" was great pitie, that any Christian prince should ———
" by a *weake clergy*, lacking grace constantlie to stande to
" their learning, with flatterie be so shamefullie abused."
As if what the clergy did on this occasion was done against
their consciences, to compliment a prince of whom they

CHAP
XXIII.

stood in fear. A reflection it must be owned not very consistent with a tender conscience! since its what has alwais ben observed, that they who have the most scrupulous consciences themselves are most tender how they judge the consciences of others. I have put these things together, tho' a little out of time, because, as they relate to the same thing, so they may give the reader³ a better view of it. I must now return to what was done concerning the Bishop about *two* years before.

13. It seems as if about this time the Bishop was sent
 Warham. for by the Archbishop to his palace of Knole in Kent,
 about twelve miles from Rochester, to try, as it seems, if
 he and they who were with him, could convince his Lord-
 ship of the lawfulness of the King's divorce. This the
 Coll. Bishop took ill, and complained of it, because, as he said,
 No. 27. the Archbishop did not vouchsafe to apprise him in his
 letters of the business for which he sent for him, that so
 he might have been better prepared to make his answer
 to those who were then with the Archbishop. However,
 when he came to Knole he prayed his Lordship that he
 would not suspect that he had a mind to sin against the
 Holy Ghost, by either opposing a known truth, or not ad-
 mitting a truth that could be evidently demonstrated
 either by the writings of the Universities, or any others:
 which, so far as I can find, was all the satisfaction that the
 Bishop would give the Archbishop and those who were
 with him.

CHAP. XXIV.

1. *The University of Cambridge decrees the Bishop public exequies.*
2. *Sends the Statute to him with a Letter.*
3. *The Bishop's answer to their Letter.*

1. TOWARDS the conclusion of the year 1528, the ^{Jan. 30.} University of Cambridge, to shew how much they loved ^{A.D. 1528.} and honoured their Chancellor the Bishop of Rochester, made a statute for celebrating his public exequies. In this statute, which I've placed in the Collection, the University ^{Coll.} recited the unwearied application of his Lordship to pro- ^{No. 15.} mote their interest, and, in particular, his giving them a cope of cloth of gold, to be used in the exequies of persons of distinction, his advising the Lady Margaret to ordain an University Preacher and Divinity Lecture, and to found the two colleges of Christ's and St. John's, and his being himself so great a benefactor to these societies, especially the last, as to deserve the name of a founder. For all which reasons, and to shew their gratitude, they had, they said, decreed in their senate, that his Lordship should have, as usual, an annual liturgy, that is, an anniversary of exequies and masses, such as they are obliged by covenant to hold every year for the other founders and their principal benefactors, to be performed in St. John's College on the day of his death, or on some other day within *eight* days after.

2. This statute^a the University sent to the Bishop with a long letter full of compliments to this effect: that their ^{Coll.} obligations to his Lordship were such as they knew not ^{No. 16.} how to express; since it was owing to *him* that the noble endowments and benefactions of the Lady Margaret, which were designed to be bestowed elsewhere, were settled with them: that therefore, because they were unwilling to

^a In the Bishop's Register this statute is entred, and dated Jan. 30, 1529. .

CHAP.
XXIV.

make a return of bare thanks, they had decreed him yearly exequies for ever, which if they understood that it was received with the same pleasure with which they offered it, they should be very much rejoiced.

3. To this the Bishop returned for answer, that the Lady Margaret, who was so very desirous of their interest, deserved indeed to be always remembred by them; but as for himself he was only an officer in these affairs, to do what he was under the highest obligations to do. For since that illustrious matron had made *him* her confessor, it was his duty to advise her for her soul's health, and there was nothing that seemed to him more meritorious in her disposal of such an estate, than the educating at her charge a multitude of young persons who afterwards, when they were grown up to be men of learning and virtue, should preach Christ's gospel successfully throughout our Britain: he therefore had done nothing in this matter but what was his duty; that indeed this benefaction might have been settled in some other University, but then he should have acted contrary to the oath he had taken to promote the interest of their's; for which reason he ought not to own the many thanks they gave him to be his due, since he had done nothing but what was his duty to do. That incomparable woman their patron, who had truly deserved of them, ought, he said, to have her praises and glory intirely to herself. As for *him* it was certainly sufficient, that with so great benevolence they so kindly accepted his good intentions to serve them, which, he assured them, should never be wanting. But the privilege or favour which they had now conferred on him was so great, that it was fitter for kings than for a poor bishop: since what glory more illustrious can any one have in this world after his death, than to have a company of the most learned men to stand by his poor body, and do so great reverence to it! As for himself, truly, horror took hold of him, and he trembled every limb of him, when he thought of so great an honour being to be done to his

ashes; but that God forbid that he should not embrace the devout prayers of so great and so learned a Body, since he was not one of those who denied a purgatory, as being sensible that a great many souls, after their departure hence, wanted a great deal of, and a long purgation. His Lordship concluded, that he wanted words to return them thanks for their kindness to him, and only desired of them this one thing, that the exequies which they had now decreed the performance of for him every year, should be ascribed to the name of the very good lady, their common patron: to wit, that as in Christ's College she had obtained the remembrance of their prayers, so she might also in like manner have it in St. John's; and if they bestowed on *him* the fellowship of their prayers with her, it was abundantly sufficient, and more than he deserved; since whatsoever there is of glory, as 'tis only her due, so he thought it should be given to her alone. Notwithstanding, the assistance of their prayers, which they now so freely promised him, he very willingly embraced, and therefore gave them immortal thanks.

CHAP. XXV.

1. *The Commons complain in parliament of their being oppressed by the Clergy : the nature of their grievances.*
7. *Bills brought into parliament to redress them.*
8. *The Bishop of Rochester's Speech against them in the House of Lords.*
9. *The Commons complain of it to the King.*
10. *He sends for the Archbishop, and accepts the Bishop's explanation of his meaning.*
11. *Bailly's feigned story of the Bishop's behaviour in convocation.*
12. *Observations on it.*

A.D. 1529. 1. **THE** next year the King summoned his parliament to meet, August the 9th. It was opened accordingly November 3, when the Commons, being assembled in their house, they began to consider the grievances wherewith the spiritualtie, they said, had for some time oppressed them, contrary to both law and right: of which they mentioned the *six* following:—1. The excessive fees which the ordi-

Hall's
Chron. K.
Hen. VIII.
fol. 188, a.
* Comp-
troller of
the King's
Houshold.

naries took for the probates of wills. An instance of this was given to the House by Sir *Henry Guilford, who told them on his fidelity, that he and others, being executors to Sir William Compton Knight, paid for the probate of his will to the Cardinal, and the Archbishop of Canterbury 666*l.* 13*s.* 4*d.* *1000 mark sterling, or almost seven hundred pounds: an incredible summ one would think, considering the value of money at that time! However on this, it seems, others made their complaints of the like extortion. The taking very excessive fees for probates of wills, we shall find was no new grievance. So long agoe as 18 Edw. I. 1289, a memorable petition of the citizens of London was presented to the King in parliament, wherein they complained

* Tho' the synod of London, A.D. 1342, had given a good smart allowance for the probate and business of a testament as 20*s.*, at least, of the money of that time for every 100*l.* of the inventory, yet the market by this time was very much risen. *Sir Hen. Spelman de Sepultura*, p. 31.

of the officials and *ministers of the Church, their several vexations, citations, and undue and burdensome exactions, by which they extorted more from the people than all the lay courts. And therefore they petitioned, that the King would suddenly apply a remedy to this grievance, that so the people might not be ruined insensibly. From this time forwards in several parliaments, from the 8th of Edward the Third, frequent complaints were made by the Commons of their ill usage on this occasion. But so powerful was the influence of the Lords Spiritual on the Upper House, that all was to no purpose. On the contrary we find, that in the 15th yeare of this reign an Act passed, wherby it was accorded, that the ministers of holie Church—for prove and accompt of testaments, or for tra-vaile taken about the same—shall not be impeached nor arrested, nor driven to answer before the King's justices, &c. But this law, we are told, was avoided and annulled this same year, as not legally passed, and but a *pretended statute*; tho' yet with this declaration, that the articles contained in it, which by other statutes have been approved, should be observed. Five years after the Commons agen prayed remedy; that wheras men were about to prove wills before the official of some certain commissary therunto deputed in the cathedral churches, they now made men come to places uncertain, and being come, would not let them have the probate of the wills, *sans faire raunceon maintenant a la quinte ou partie des biens contenues al testament*, without extorting from them on the spot a fifth or part of the goods contained in the will. To which complaint the answer was, that the King would speak to the Archbishop and other prelates, that such wrong might be redressed. But, it seems, this grievance was not thus remedied. For in the 50 of Edward III. an Act was made, that the bishops do certainly appoint what shall be taken for a probate of a testament, and an acquittance upon that account. But neither had this, it seems, its desired effect, and therefore in the *first* year of the next

CHAP.
XXV.

*officers.

Cotton's
Abridg.
p. 61.

an ibid. p. 127.

CHAP.
XXV.

reign it was prayed in parliament, that it may be certainly appointed what ordinaries shall take for the probate of a will or testament, and making of the acquittance. To which answer was made, that the King had charged them to take but reasonably therfore. But still the complaint continued. For the very next session of the parliament, we find the Commons requiring remedy against the extortions of ordinaries for probate of testaments, to which they add the flights of false summoners there uttered, unless the poor do bribe them with money, which they call *the bishops arms*. In the *first* year of K. Henry V. the Commons made a large complaint and prayer to redresse the manifold oppressions of the ordinaries for probate of testaments, &c. to which the answer was, that if the bishops upon the King's charge to them given did not redresse the same, the King would then do it. Accordingly in the *third* year of his reign, an ^bAct was passed declaring what ordinaries should take for the probate of wills. But this Act was to continue till only the next parliament, when it was not made perpetual, because the ordinaries did then promise to reform and amend their oppressions and exactions. But so far, it seems, were they from keeping their words, that the Commons now declared, that the said unlawful exactions were greatly increased against right and justice, and to the impoverishing of the King's subjects.

2. The *second* grievance now complained of by the Commons, was the great polling and extreme exaction which was used in taking of *corse-presents* or *mortuaries*. These, at first, were voluntary, as is intimated in the very name *corse-present*, and were given by will, but by degrees they grew to be a custom; insomuch that Gray, Archbishop of York, in his constitutions, 1250, stiles this *corse-*

^b In this Act it was recited, that wheras in the time of K. Edward III. 2s. 6d. or 5s. at the most, was paid for the probate of any will with the inventorie, now diverse ordinaries took for the same 40s. or 60s. and sometime more, at the rate perhaps of 20s. in the 100l. But this was still much short of 1000 marcs!

present a principal legacy, and orders it to be demanded by the rector, vicar, &c. but with the fear of God before his eyes, and according to the present usage or custom of the province. But frequent disputes happening betwixt the clergy and their parishioners about this present, Archbishop Winchelsea, A. D. 1305, ordained, that if a man, at the time of his decease, had three or more living creatures among his chattels, of what sort soever they were, the second best should be reserved for the church, where, when he was alive, he used to receive the sacraments. This constitution was afterwards reinforced by another of Archbishop Langham's, 1367, much to the same purpose. The reason of this payment is very differently guessed. Archbishop Langham said it was as a recompence for the tithes and offerings which the deceased had in his life time thro' fraud or forgetfulness withdrawn. But there is some doubt made of this; because in the ancient formularies of wills, and by the canons of the synod of Exeter, it is expressly directed, that in all wills there should be an especial legacy of somewhat to the parson for ^ctithes and oblations forgotten or omitted. Sir Henry Spelman therefore thought, that as the lord of the fee had the best beast of all of the persons deceased by way of an *heriot*, for the support of his body against secular enemies, so the parson of the parish had the second best, as a *corse-present* or *mortuarie*, for defending his soul against his spiritual adversaries. A later writer fancied, that as here in England the Church of old claimed a *third* part of the deceased's goods, the *mortuary* was intended as a composition for that *third* part. Tho' by the constitutions of Winchelsea, &c. mentioning *three* animals, and ordering the parson one of them, one is apt to think, that by one-third of the defunct's goods, was never meant any more

CHAP.
XXV.

de Sepul-
tura, p. 34,
ed. 4^o. 1641.

Johnson's
Coll. of
Eccl. Laws.

^c In some ancient wills we find provision made for the mortuary besides. Thus in a will of one Robert Thoft, 1414: *Item, lego Rectori ejusdem ecclesie, nomine mortuarij. mei, meliorem vestem usualem. Item, lego summo altari pro oblitis decimis et oblacionibus xli.*

CHAP. than one-third of his living stock, or rather of the best
XXV.

Cotton's
Abridg-
ment, &c.
p. 185.

part of it. But however this be, it seems that the clergy, not content with the second best living creature, extended their claim further. For in the 3 Rich. II. the Commons in parliament petitioned the King, that parsons or vicars, &c. might not have nor require any mortuaries of the armor of any man, but that the said armor might remain to their heirs and executors. But of the severity of some of the clergy in demanding this fee, the present Commons had a very remarkable and fatal instance within their own memory. No more than *sixteen* years before, Richard Hune, a merchant taylour of Saint Margarete's parish in

*New Fish-
street.
Hall's
Chron. K.
Hen. VIII.
fol. 50, a.

*Brigestrete, an eminent citizen, had a child died in its infancy. The curate claimed the bering sheet for a mortuary. Hune refused to let him have it, telling him, that the child had no property in the sheet. Whereupon the curate cited him into the spiritual court; and soon after Hune was prosecuted for heresy, and imprisoned in the Lollards tower within St. Paul's Church, where he was found dead hanging by the neck in his own silk girdle; and to add to the calamity, it was on purpose given out, that he had hanged himself, tho' the coroner's inquest had found the contrary, and that his neck was broken before he was hanged. Accordingly in the preamble to the Act that passed this session concerning the payment of mortuaries, as if they who drew it had Hune's case in their view, it is recited, that "*mortuaries or corse-presents* have been demanded and levied for such as at the time of their death have had no property in any goods or chatels."

Sir Tho.
Moor's
Dialogues.

21 Hen.
VIII. c. 6.

3. The *third* grievance complained of by the Commons in this parliament was, that priests being surveyors, stewards, and officers to bishops, abbats, &c. had and occupied farms, granges, and grasing in every country, so that the poore husbandmen could have nothing but of *them*, and yet for *that* they should pay deerly. Dr. Wiclif, I have shewn, intimates, that in his time the inferiour

clergy were not only clerks in chancery and officers of the exchequer, but stewards of lands, of lords courts, nay clerks of kitchens and of accounts. The same Bishop Latimer complained of now, in a sermon preached by him at Grimstorp, 1552, that some of the clergy, rather than be among their flockes, would run hither and thither, and be clarkes of kitchins, or take other offices upon them: to which the zealous Dr. Heylin gave this turn, that "the poor clergy being kept to some sorry pittances, were forced to put themselves into gentlemens houses, and there to serve as *clerks of the kitchen, surveyors, receivers,*" &c.

CHAP.
XXV.

* Sermons,
fol. 171, b.
ed. 1571.

History of
the Reformation, p.
61.

4. The *fourth* grievance was, that *abbats, priors, &c.* kepte tanne houses, and sold wool, clothe, and all manner of merchandise as other merchants did. Wiclif tells us, that "where in many abbies shulden be and sometime weren great houses to harbour poor men therin, now they ben fallen down, or made swinkotes, stables, or bark-houses." Sir Thomas Moore adds, that "in whatsoever parts of the country the wool is finer, and consequently more valuable, there the nobility and gentry, and some abbats, holy men as they were, not content with the yearly rents and profits of their lands, which their ancestors enjoyed, nor reckoning it sufficient that living in ease and plenty they did no good, but rather harm to the publick, left nothing for the plough, but layd all down to pasture, demolished houses, destroy'd whole towns, leaving only the church standing to fold their sheep in. So that as an unsatiable glutton, and a direful plague of the country, the fields being laid all in one, some thousands of acres were fenced with only one hedge. The farmers with their families were ejected; they were dispossessed, by being either overreached by fraud, or overcome by violence, or else, being quite wearied out with abuses, were forced to sell what they had; and so the poor wretches were obliged at any rate to shift their quarters, men and women, husbands and

Great Sentence of
Curse expounded, c.
3, MS.
Utopia, fol.
ii. b.

CHAP. "wives, orphans and widows, parents with their children,
XXV. "and a familie more numerous than wealthy, as husban-
"dry employs a great many hands, were compelled, I say,
"to leave their known and usual dwellings, tho' they knew
"not whither to go," &c. This occasioned a very great

Preface to his Translation of the Bible, 1535. increase of the poor; so that, as Bishop Coverdale tells us, a great multitude of the poor people rann thorow every town a begging; so far was it from being then known, that the poor of the nation were supported at the gates of the abbeyes and monasteries. Had this been the case, there had been no occasion for that warm application which Coverdale at that time, when these houses were at the very height of their glory here, made to those of estates, or who had the riches of this world, "to do with
"their counsell all that ever they could, that this un-
"shamefac'd begging might be put downe, that those ydle
"folkes might be set to laboure, and that such as were not
"able to get theyr lyvyng myghte be provyded for."

5. The *fifth* grievance complained of was, that spiritual persons promoted to great benefices, and having their living of their flocke, were lying in the court, in lordes houses, and took all of their parishioners without spending any thing at all among them; so that, for want of their residence, both the poor of their parishes lacked refreshment and relief, and all the parishioners wanted preaching and good instruction of God's word, to the great danger of their souls. How notorious this was seems pretty plain from the following verses of our poet Chaucer:

Plowman's
Tale.

Some their churches neverne sie
Ne never o pennie thiderne send,
Tho' their poor parishens for hunger die
O pennie on them woll they not spend.
Have they receiving of the rent
They *reckon never of the remenaunt,
Alas the devil hath cleane† hem blent
Soch one is Sathanna's sojournaunt.

* reckon.

† them
blinded.

6. Lastly, the Commons complained, that one priest had *ten* or *twelve* benefices, and were resident on none of them; when there were many learned scholars in the universities who were able to preach and teach, who yet had neither benefice nor exhibition: and whoever considers the catalogue of pluralities in the time of Archbishop Winchelsea, given us by a very learned and excellent prelate, will allow this to be a very modest representation of this abuse. There we see that some had fifteen, others thirteen, and one no fewer than twenty-three. And indeed so favourable was the court of Rome to this foul and corrupt practice, that in the catalogue of the faculties there to be granted is mentioned a dispensation, to hold any incompatible benefices without any restriction, or limitation.

CHAP.
XXV.

Bp. Gibson's
Co-dex, &c.
p. 946.

7. Of these very scandalous abuses frequent complaints had been made by private persons, who had no other reward for their pains than being exclaimed against as disaffected to the Church and favourers of heresy; a character which they who gave it well knew would soon be a means to stop their mouths, and keep them from any more finding fault. But now, the King being out of humour with the Pope, and having therefore begun to limit his jurisdiction, this was thought a proper opportunity to have these grievances redressed, of which hitherto all complaints had been to no manner of purpose. The Commons therefore ordered *three* Bills to be brought in: one for settling what fees ought to be taken for probates of wills; another to declare where mortuaries ought to be paid, for what persons, and how much, and in what case none are due; and a *third* to abridge spiritual persons from having ^dpluralities of livings, and from taking of farms, and keeping of tann-houses or brew-houses.

21 Hen.
VIII. c. 5,
6, 13.

8. When these Bills were sent up to the Lords for

^d By this Bill any clerk who had more than *four* benefices with cure, was allowed to hold no more than *four*, and for the future *two* were the most that any could be dispensed with for keeping, and that too with certain provisor and limitations.

CHAP. XXV. their concurrence, very little or no opposition, it's said, was made by the Lords spiritual to the two last, as being but little concerned in them. But when the Bill concerning probates of wills came to be read, both the archbishops and the other bishops shewed great displeasure, as being what affected their profit, and tended to lop off a considerable part of their revenue, or however of their officers. The Bishop of Rochester therefore, with great zeal and earnestness, spoke against it to this effect, or rather against them all. Their Lordships, he said, saw what Bills were now exhibited by the Commons against the clergy, wherein very great complaints were made of the viciousness, idleness, rapacity, and cruelty of the bishops and abbats, priests and their officials: but that surely *all* were not vicious, idle, ravenous and cruel; and as for those that were so, there were laws already provided: that there was no abuse that the bishops did not seek to rectify; but could there be such a setting all things right as that there should be nothing wrong? That he thought clergie-men the properest persons to rectify the faults of the clergie, but that surely it was very wrong for such men to take upon them to find fault with the manners of others, as took no care of their own, and to affect to punish where they had no authority to correct: that if the bishops did not put the laws in execution, every one was to suffer for his own fault; or if they had not power so to do, if the temporal Lords would aid them with their assistance, they should be thankful to them. But, he said, he heard a motion had been made for the King's having the 'smaller monasteries, and that this seemed to him as if our holy mother the Church was to become a bondmaid, and by degrees to be quite banished out of those houses which the devotion and liberality of our forefathers had bestowed

Hall, Chro.
Hen. VIII.
fol. 50.

Baily's Life
of Bishop
Fisher.

* I don't find any mention made of this by our historians before 1535, except that in 1532 the King desired a bull from the Pope to erect *sic* new bishoprics, to be endowed with monasteries that were to be suppressed. *Hist. Refor.* vol. i. p. 121.

upon her. To what purpose else were these portentous and curious petitions of the Commons, but to bring the clergy into contempt with the laity, that so they might seize their patrimony? Their Lordships therefore ought to take care of themselves, and of their country, and of their holy mother the catholic Church, since the people were subject unto novelties, and Lutheranism spread itself among us. They should remember Germanie and Bohemia, what miseries had already befallen *them*, and let their neighbours' houses that were already on fire teach them to beware of the same disaster, and take care of their own; for unless they interposed their authority, and manfully resisted this violent heap of mischiefs attempted by the Commons, they would see all obedience withdrawn from the clergy first, and next from themselves. He concluded, that if they searched into the true causes of all these mischiefs which now reigned among *them*, they would find, that they all proceeded from want of faith. These last words are somewhat differently reported by our chronicler Hall, as if the Bishop should say, that for God's sake their Lordships should consider what a realme the kingdom of Bohemia was, and that when the Church there went downe, then fell the glory of that kingdome: that now with the Commons was nothing but *downe with the Church*, all which seemed to him to be for lacke of faith only. This speech of the Bishop's, Baily tells us, was received by the Lords as they were differently affected, or more or less disposed to favour the King's designs. However none of them made any reply to it but the duke of Norfolk, who observed, that many of the expressions used by his Lordship might have been well spared; but he was not insensible, that very often the greatest clerks were not always the wisest men. To which the Bishop only said, he did not remember any fools in his time that ever proved great clerks.

9. But, when this speech of the Bishop's against the Bills which they had sent to the Lords was reported to

CHAP.
XXV.

Life of Bp.
Fisher.

CHAP.
XXV.

the Commons, they very highly resented their being thus reflected on, and represented as a company of heretics, and enemies to the Church, who sought to bring it into the utmost danger, only because they had passed these Bills for the remedying abuses which had long been complained of without any redress, and which even now were not pretended to be justified. They therefore resolved, that their Speaker, attended with some of the members of their House, should go to the King to make complaint to him of the Bishop of Rochester. Accordingly, at the time appointed by the King for their attending on him, Sir Thomas Audley their Speaker, with about thirty of the principal members of the House, waited on the King, then at Yorke Place, or Whitehall, Westminster, and being come into his Majesty's presence, the Speaker shewed what a dishonour it was to him and the realme to say, as the Bishop had done, that they who were elected for the wisest men of all the shires, cities, and boroughs within the realme of England, should be declared in so noble and open a presence as the Lords House to lacke faith: that this was as much as to say, that they were infidels, and not christians, and as bad as Turks or Saracens; so that what pains or studie soever they took to serve the commonwealth, or what acts or laws soever they made or established, should be taken as laws made by pagans and heathens, and not worthy to be kept by christians. Wherefore he most humbly besought the King's Highness to call the said Bishop before him, and to cause him to speake more discreetly of such a number as was in the House of Commons. To which the King, its said, tho' far from liking this passionate reflection of the Bishop's, very mildly answered, that he would send for the Bishop, and let them know his answer; and so the Speaker, with those who accompanied him, returned to the House.

10. Soon after the King sent for the Archbishop of Canterbury, the Bishop of Rochester, and six other bishops, to whom he declared what a complaint he had

received from the Commons of the Bishop of Rochester, and how ill they took his speaking of them in such a manner as he had lately done in his speech in the House of Lords, and particularly reflecting on them as wanting faith. To which the Bishop, its said, answered, that his meaning was, that the doings of the Bohemians were for lacke of faith, and not the doings of those who were in the Commons House. This explanation of the Bishop's was confirmed by the Archbishop and bishops then present, who had all of them a great value for the Bishop of Rochester. The King therefore, accepting this excuse of his, sent a message to the Commons by the treasurer of his houshold, Sir William Fitz-Williams, to tell them in what manner his Lordship explained those words of his at which they had taken so great exception: with which, tho' they were far from being satisfied, as thinking it a made and very blind excuse, they yet did not think fit to proceed any further on their complaint of the Bishop; and so this storm raised against him blew over. But Baile reports the Bishop's answer as less yielding and condescending, *viz.* that being in council he spake his mind in defence of the Church, which he saw daily injured and oppressed by the common people, whose office it was not to judge of her manners, much less to reform them; and that therefore he thought himself bound in conscience to defend her all that lay in his power: to which the King is represented as replying, that he wished him to use his words more temperately, which mild reproof, its said, gave the Commons little satisfaction.

CHAP.
XXV.

Life of Bp.
Fisher.

11. Baile, as he had fancied, that in this parliament a motion had been made in the House of Commons for the suppression of all the lesser monasteries under the value of two hundred pounds a year, and accordingly made the Bishop to hint as much in his aforesaid speech: so he supposes the same motion to be made in the convocation that met and sate with the parliament, of which he makes this formal story, that "immediately upon this complaint

ibid. c. 14.

CHAP.
XXV.

“ made to the King by the Commons against the Bishop,
 “ the foresaid demand for all the small abbies and monas-
 “ teries within the land of the value of two hundred pound
 “ land and under to be given to the King was revived ; and
 “ the pretence for such demands of the clergy was, in
 “ recompence of the great charges and expences which
 “ the King was at concerning the divorce which he was
 “ put upon by the false and double dealing of the Cardinal
 “ and his clergy. It was said therefore, to be all the reason
 “ in the world that the clergie should satisfie the King
 “ againe for the great expences he had been at ; and this
 “ was urged with such importunity as if the business had
 “ been called upon by sound of drums and trumpets. In
 “ conclusion, they all agreed, that certain of the King’s
 “ counsel should make demands hereof to the convocation
 “ of the clergy, which was performed with such a terrible
 “ shew of the King’s displeasure against them if they
 “ yielded not to his request, that divers of the convoca-
 “ tion, fearing the King’s indignation, and hoping by a
 “ voluntary condescension in these particulars to save the
 “ rest, were of a mind to satisfie the King therein ; which
 “ the Bishop of Rochester perceiving, spake as followeth :
 “ My Lords, and the rest of our Brethren here assem-
 “ bled, I pray you to take good heed to what you doe lest
 “ you doe you know not what, and what you cannot do.
 “ For indeed the things that are demanded at our hands
 “ are none of ours to grant, nor theirs to whom we should
 “ bestow them if we should grant them their desires ; but
 “ they are the legacies of those testators who have given
 “ them unto the Church for ever, under the penalty of
 “ a heavy curse imposed on all those who shall anywise go
 “ about to alienate their property from the Church. And
 “ besides, if we should grant these smaller abbies, &c. to
 “ the King, what should we do otherwise than shew him
 “ the way how in time it may be lawful for him to demand
 “ the greater ? Wherefore the manner of these proceed-
 “ ings puts me in minde of a fable, how the ax which

“ wanted a handle came upon a time unto the wood making his moan to the great trees how he wanted a handle to work withall, and for that cause was constrained to sit idle. Wherefore he made it his request unto them, that they would be pleased to grant him one of their small saplings within the wood to make him a handle, who mistrusting no guile, granted him one of the smaller trees, wherewith he made himself a handle; so becoming a compleat axe he so fell to work within the same wood, that in processe of time there was neither great nor small tree to be found in the place where the wood stood. And so, my Lords, if you grant the King these smaller monasteries, you do but make him a handle, whereby at his owne pleasure he may cut down all the cedars within your Libanus, and then you may thank yourselves after ye have incurred the heavy displeasure of Almighty God.” Which speech, Baily adds, quite changed the mindes of all those who were formerly bent to gratifie the King’s demands herein: so that all was rejected for that time.

CHAP.
XXV.

12. But this is all fiction and romance. It in no wise appears by the historie of this time, that it was at all necessary to have either the advice or consent of the clergy in convocation for the suppression of the religious houses, or that by the King’s order they were ever consulted with about it. Its as improbable, that any such pretence should be urged for this suppression, as the defraying of the charges of the divorce, when as yet it was not finished. But the religious, as they were called, had provoked the King by the opposition made by the generality of them to his divorce and supremacy; and the necessities of his government wanted extraordinarie supplies, for which his Majestie was loath to burden his subjects with taxes. To which may be added, the monstrous superstition and immoralities of the religious, who generally shewed but little

¹ — cum nihil tum minus essent quam monasteria, quin desidie, nequitieque latibula. *Ep. Andrews ad Card. Bellarm. respon.* p. 172.

CHAP. regard to the vows which some of them owned they had
XXV. made against their wills. The *first* motion made in par-

Fuller's
History of
Abbeys, p.
310.
Church
Histo. p.
169.

Bp. Bur-
net's Hist.
of the Re-
format.
Vol. I. p.
121---190.

Survey of
London, p.
277, ed. 4^o,
1618.

liament for the suppression of the lesser houses of religion which were under 200*l.* a year, was in the 27th of the King's reign, or A. D. 1536, when the Bishop had been for some time in his grave. One of our Church historians fancied that this speech of the Bishop's, if ever spoken at all by him, was made in parliament A. D. 1521, on occasion of the Cardinal's obtaining from Pope Clement bulls for the dissolution of *fourty* of the smaller monasteries, provided the King and their other founders gave their consent for that purpose. But this was long before the King's divorce was so much as thought of. In the year 1532 the King is said to have desired a bull from the Pope for a commission to erect *six* new bishoprics, and to endow them with the revenues of monasteries to be suppressed for that purpose. This, we are told, was granted, and that it seems it was upon this authority that, in the year 1533, the priory of the Holy Trinity, called Christ-Church, near Aldgate, (now the Duke's place,) was dissolved and given to the Lord Chancellor Audley. But Stowe tells us, that King Henry the Eighth, minding to reward Sir Thomas Audley, speaker of the House of Commons, for his acting against the Cardinal, got this priory surrendered to him in July 1531, the 23d of the King's reign, and gave the said priorie to Sir Thomas, for which he quotes Hall. If this were so, the Pope's bull must have been granted before 1533. But, be this as it will, the foregoing story of the Bishop's seems to have been made after his death. Though if this was the Bishop's speech, it seems some of the other bishops were of a different opinion. Thus Gardiner, for instance, Bishop of Winchester, 1531, tells us, that in a sermon preached by him at Poul's Cross, the first Sunday of Lent, 1539, he thus expressed himself, that "it is the devil's craft to use shift to deceive man whose felicitie he envieth, and therefore coveteth to have man idle, and void of

"good workes, and to be ledde in that idleness with a
"wanne hope to live merrily and at his pleasure, and yet CHAP. XXV.
"have heaven at the last. And for that purpose pro-
"cured out pardons from Rome, wherin heaven was sold
"for a little money, and for to retayle that marchaundise,
"the devyll used freres for his ministers: Nowe they be
"gone with all their tromperie—and nowe he perceyveth
"it can no lenger be borne to bye and sell heaven, both
"the marchaundise is abhorred, and the ministers also, we
"cannot away with freres, ne can abyde the name,—
"nomo fryers, fye on the name and the garment."* But
to return to the Bishop.

* Preface to his answer to Geo. Joye.

CHAP. XXVI.

1. *The Bishop revises the Statutes of St. John's College in Cambridge, and settles his own benefactions to it.*
2. *Orders Trentals and Exequies to be done for him.*

1. **WHETHER** by these proceeding of the parliament the Bishop apprehended he should soon meet with yet further trouble, or that he had some other reason for so doing, but the next year we find him revising the statutes of St. John's College, and settling how or in what manner he would have his own benefactions to that society ordered and disposed of. It seems, likewise, as if it was about this time that he made a deed of gift to the College of his noble library and household furniture, only reserving to himself the use of them during his life, by vertue of which clause, he being in actual possession of them, they were afterwards forfeited to the King. A copy of these private statutes of his, happening to have been preserved by their being in private hands, I have put an extract of them in the collection. By them it appears, that to compensate the College's loss of the lands taken from them, as has been before related, to the value of 400*l.* a year, he had thought fit, not only to make up that loss, but to bestow on the College a good part of his own estate for the education of scholars in the study of divinity, and for the salvation of his own soul. This, his Lordship adds, he had done not only that he might, as was said before, provide for the safety of his soul, but that, by this example of his, he might excite a great many others in like manner to put their helping hands to the support of the College. He has therefore, he says, bestowed on the master and fellows of St. John's, besides five hundred pounds, formerly by him laid out for common uses, and some ornaments of no small value, (of which there is a particular account given in a

sort of historical panegyric on the Bishop, drawn up in his lifetime, a copy of which will be found in the Collection), CHAP.
XXVI.
such a summ of money as is sufficient for the purchase of No. 13.
sixty pounds a year, *ultra reprisas*, as they say. In consideration of which endowment the master and fellows, he says, have made him a grant of a great many things for the salvation of his soul, which they have promised him shall every year be duly performed within the College, and, as it appears by indentures, obliged themselves, that he should have power to make certain ordinances, which should be perpetually observed for the future. Therefore, by these writings he wills, appoints, and decrees for his last will, that over and above the number of fellows and scholars which by either the executors of the Lady Margaret's will, or by the ordinances of other particular founders are appointed, or shall be so hereafter, other four fellows and two scholars of *his* foundation shall for ever be maintained out of the College estate, who shall in every thing enjoy the like profits, emoluments, and liberties with the rest of the fellows and scholars, which have been before ordained by him and the executors. Then he proceeds to enumerate the qualifications, &c. of these fellows and sholars, as has been mentioned already.

2. In the *fourth* chapter of these statutes his Lordship thus orders the trentals and exequies which he would have done for him. I will, says he, that every year 24 trentals, as they call them, shall be distributed to those who are priests in the College of a good life and most necessitous; and that for every trental the priest who sings it shall receive^b five shillings. I will, also, that, besides them, every year to come, for ever, on the very anniversary day of my decease, exequies be celebrated by the master and fellows,

^b This seems but half the pay which was usually given at the same time to the friars for singing a trental, or thirty masses. Thus, for instance, John Saket, of St. Peter's, in Tenet, by his will, dated St. Thomas's Day, 1444, gives to the friars at Sandwich, 10s., that they might say one trentall for his soul, &c. *E. Curia Prerog. Cant.*

CHAP.
XXVI.

and scholars, in the College Chapel, with a morrow mass; during the times of which exequies and mass, two wax-tapers shall always burn on the high altar, and four others about the monument, for the consumption of which he allotted 3*s.* 8*d.*, and a distribution of money shall be made after this manner, *viz.*

	<i>s.</i>	<i>d.</i>
The Master shall have - - -	6	8
Every one of the Fellows - -	3	4
Every one of the Scholars - -	1	0

provided they be all present at both exequies and mass, from the beginning to the end. In this manner did the Bishop provide, consistent with his belief of a purgatory, for his soul's health; so that he seems to have deserved the same character that Erasmus gives of his and the Bishop's common friend, Sir Thomas Moore, that *he was so inclined to devotion, that if he ever so little leaned to one side more than another, he seemed to be rather superstitious than profane.*

CHAP. XXVII.

1. *The King orders a Translation of the New Testament in English.* 2. *Sends to Oxford for an authentic account of Dr. Wickliff's opinions condemned there.* 3. *Forbids the purchasing from Rome any thing prejudicial to his jurisdiction.*

1. **ABOUT** the latter end of May, this year, the King himself had ordered a translation to be made of the New Testament into *English*, upon an occasion of which some notice must be taken. That sacred book had been about four years before translated from the original Greek by Wylliam Tyndal, and printed abroad. For his doing this he gave the following reasons: "That the Papists with
 "wrestyng the Scripture unto their own purpose, clean
 "contrary unto the processe, order, and meaninge of the
 "texte, did delude the unlearned lay people in descanting
 "upon it with allegories, and amase them in expounding
 "it before them in many senses, when it hath but one
 "symple literal sense, that though they felt in their
 "hearts, and were sure how that all is false that they said,
 "yet they could not solve their subtile riddles: so that he
 "found, by experience, that it was impossible to stablyshe
 "the laye-people in any truthe, excepte the Scripture
 "were plainly laid before their eyes in their mother
 "tongue, that they might see the processe, order, and
 "meaning of the text: And that, there was no roome in
 "the Bishop of London's palace, where he hoped to have
 "been entertained, to translate the New Testament, nor
 "any place to do it in all England." The next year, 1527, he printed (at Marborch, as should seem by the types) the five books of Moses, translated into English from the original Hebrew, and soon after a second edition of his English New Testament was printed by some

A.D. 1530.
Hall's Hem.
VIII. fol.
192, b.

Preface to
his trans-
lation of
the Penta-
teuch.

Marbeck
in Witten-
berg.

CHAP.
XXVII.

English
Works, p.
341, col. 2.
342, col. 1.

Dutch printers, a great part of the former edition having been bought up and burnt by the Bishop of London. Soon after, Tyndal likewise published a translation of the Prophecie of Jonas, to which he prefixed a large prologue. Of all which Sir Thomas Moore gave the following disparaging character. "There are," says he, "made in the English tongue, first, Tyndal's New Testament, father of all the heresies by reason of his false translating. And after that, the five books of Moses, translated by the same man. Jonas made out by Tyndal; a boke that whoso delighe therein shall stande in perill, that Jonas was never so swallowed up with the whale, as by the delyte of that booke a man's soule may be so swallowed up by the devill, that he shall never have the grace to get out againe." However, these books were very industriously conveyed into England, and as greedily procured and read by the people. This the Popish clergy could not endure: they complained of the falseness of the translation, and that it was so bad that it could not be mended: they particularly objected to the prologues which Tyndal had placed before the several books, and the notes at the ends of the chapters, &c. as reflecting on them and sounding to heresy: and therefore, to deter the people from reading them, they very severely punished all those in whose custody any of these books were found. But the numbers which were gone abroad were so great, and the people so very fond of them, that a stop could not be easily put to this innovation, as it was called. Upon complaint, therefore, being made of it to the King, he came to the star-chamber, May 24, and there conferred with the bishops and other learned men of this and some other books. The result of this conference was, that the King thought for the present, this method should be taken as the most discreet and religious, *viz.* That the translations already published should by him be called in and prohibited, and the bishops be ordered to call to them the best learned in the two Universities, and cause a new

translation of the New Testament to be made which His Grace might peruse and allow the use of to His people, when he should think convenient so to do, that they might not be ignorant of the Law of God. But when the bishops and the Universities deputies met on this occasion, instead of agreeing with the King in this expedient, they solemnly subscribed the following declaration, wherby they condemned all English translations of the Scripture whatsoever, *viz. The publication of the Holy Scripture in the vulgar tongue is not necessary to Christians; and the King's Majestie and the bishops do well in forbidding to the people the common use of the Holy Scripture in the English tongue.* So that notwithstanding this command of the King's, the bishops did nothing at all to set forth a new translation, but the people still read Tyndal's. Upon this it seems as if some here in England who favoured the reformation¹ applied themselves to Myles Coverdale, (who had been of the house of the Austin friers at Cambridge, of which Dr. Barnes was prior, and was now fled beyond sea for fear of being prosecuted for heresie) to undertake the translation of the whole Bible into English, or rather to finish the translation begun by Mr. Tyndal, which through his unnatural death was left imperfect, and to publish it without any prologues or notes. This proposal Coverdale complied with, "as thinking it great pity that we Englishmen should want such a translation so long, and being grieved, that other nacyns shulde be more plenteously provyded for with the Scripture in theyr mother tunge than we." Accordingly, he tells us, "that to helpe him herein, he had² sundry translacyons, not onely in Latyn, but also of the Douche interpreters, whom, because of their syngular gyftes, and specyall diligence in the Byble, he had bene the more glad to

CHAP.
XXVII.

Wharton's
Letter to
Strype, &c.

Hall.

Cover-
dale's Pref.

¹ —the holy goost moved other men to do the cost therof. *Coverdale's Ep. Ded.* —therefore whan I was instantly required.—*id. Pref.*

² —but have with a clear conscience purely and faythfully translated this out of *fyve* sundry interpreters.

CHAP.
XXVII.

"follow for the most part accordynge as he was requyred." With these assistances he finished this¹ translation, which was completed at the press October 4, 1535. But this edition being, I suppose, quickly sold off, Coverdale "overlooked it better, and amended whatsoever he "either perceived himself, or by the informacyon of other, "that he had fayled," and dedicated it to the King, whom he stiled Defendour of the Fayth, and, under God, the chefe and supreme Heade of the Church of Englande. This must be done 1536, or the beginning of the next year, since, in his dedication to the King, he mentions his dearest, just wyfe, and moost vertuous princesse Queen Jane, without taking any notice of the prince, born soon after. It seems as if Tyndal intended the same thing, and was actually preparing to print a translation of the whole Bible in English. Thus, in 1534, he wrote to John Fryth, that George Joy at Candlemass, being then at Barrow, printed two leaves of Genesis in a great form, and sent one copie to the King and another to the "new Queen, with a letter to N to deliver them, and to purchase license, that he might so go through all the Bible. But soon after Tyndal himself was arrested by the emperor's officers, and put in prison in Filforde Castle. To this Coverdale seems to allude, when he tells his readers, that he "called to his remembraunce the adversite of them "which were not onely of rype knowledge, but wold also

Octo. 12,
1537.

Fox, Acts,
&c. vol. ii.
p. 369.

Penes
Fran.
Wyat, Esq.

¹ To some translation, published by the King's allowance, reference seems to be had in one of the prayers in a little MS. book of devotions, given by Queen Anne to her maids of honour to wear at their girdles, in the following words: "Grante us, most mercifull father, this one of the greatest gifts that "ever thou gavest to mankind, the knowledge of thie holy will, and glad "tidings of our salvation, this great while oppressed with the tyrannie of thy "adversarie of Rome and his fautors, and kept close under his Latin Let- "ters, and now, at length, promulgate, published, and set at liberty by the "grace poured into the harte of thy supreme power the prince." This seems to intimate as if either a translation of the New Testament or the whole Bible was allowed by the King before the finishing of this by Coverdale, October 1535.

^m Anne Boleyn.

“ with all they hartes have performed that they begunne,
 “ yf they had not had impediment.” But though this intended translation of the whole Bible by W. Tyndal was thus delayed by his troubles, yet it seems to have been afterwards resumed by George Joye, M. A. and Fellow of Peter-House in Cambridge, who fled out of England to Strasburg for fear of being prosecuted for heresie, George Constantine, and John Rogers, of Cambridge, and afterwards of the Cardinal's College in Oxford. By these were those books of the Old Testament translated which Tyndal had not finished, together with the Apocrypha. And in 1537, the Pentateuch of Tyndal's translation, with some corrections, and the addition of contents to the several chapters; Tyndal's translation of the Prophetie of Jonah, and of the New Testament, with all his prologues and notes, were printed, together with the books of their own translation, to which they added contents and notes, and dedicated to the King by the feigned name of Thomas Matthews. I find it intimated by some very great men, that at the beginning of the year 1531, the King ordered a Bible of the largest volume to be had in every church. But, if this be not a mistake of the year for 1535, 1537, or 1539, I don't know any more how to account for it, than they do by whom this Bible was translated.

CHAP.
XXVII.

A. Bp.
Wake's
State
of the
Church,
p. 473.
Bp. Bur-
net's Hist.
of Reform.
vol. iii. p.
52.

2. This was another step towards the work of the Reformation—the next will carry us still further. In July, this year, the King sent to Oxford for an authentic account of Dr. Wiclif's opinions, condemned by their predecessors and by the Council of Constance. Wiclif was well known to be a stout and learned defender of the *regale* against the monks and friars, who were very zealous for the Pope's supremacy. But this, perhaps, was not the only thing in view, to have the King's supremacy confirmed by the authority of so great a man. The Doctor was as remarkable for his opposition to the religious, who, for so many years had been constantly engaged in robbing God of his tithes and offerings with such success, that they

CHAP. had now almost engrossed them all to themselves, leaving
 XXVII. nothing to those who trod out the corn but the chaff, as
 he was for decrying the excessive incroachments of the
 pontificate: and the King and his council, it's not unlikely,
 might desire to see what his sentiments were concerning
 them. But, whatsoever might be the reason of this mes-
 sage of the King's, it's certain that His Majesty's chaplain,
 Edward Leighton, was sent to Oxford with the King's
 *letter to the following purpose: That since at that present
 time His Majesty, being moved by certain great and
 weightie considerations touching as well the repressing of
 such errors, heresies and opinions, as were then spread
 abroad in several places, as also the comfort of Christ's
 Church and good Christian people, was desirous not only
 to know the articles wherupon Wiclif was condemned
 heretofore by the University of Oxford, but also the con-
 firmation of that condemnation by the Council of Con-
 stance. He therefore willed, that they, with all dispatch,
 should send to him by the bearer of this letter, in writing,
 under the seal of the Universitie, in as authentic a manner
 as they could devise, all and singular the said articles of
 condemnation of the said Wiclif, and the confirmation
 therof by the said council. In what manner the Univer-
 sity proceeded on this letter of the King's will be seen by
 perusing the copy of their register, which I have put in
 the Collection. I shall only observe here the character
 which they on this occasion gave of that learned confessor,
viz. after that those monsters Ebion, Cerinthus, Sabellius,
 Arius, and Julian the apostate and their most filthy here-
 sies were suppressed, there arose a new apostle of the
 devil, who was impudent as well as rash, John Wiclif, pro-
 fessor of the liberal arts and a man of a sharp wit and
 smart eloquence. This man, turning the world upside
 down, infected the most flourishing kingdoms of England
 and Bohemia with new heresies and the most wicked
 errors, and happened thus to doe in those times, when, as
 the Apostle says, Men not enduring sound doctrine chose

* Dated at
 His Castle
 of Wind-
 sor, July
 31, 1530.
 Coll. No.
 25.

Coll. No.
 25.

to themselves a Master who would scratch their itching ears and turn them from the truth.

3. On the 19th of September a proclamation was set forth to forbid all persons to purchase, or attempt to purchase from the court of Rome, or elsewhere; or to use and put in execution, any thing heretofore purchased, or hereafter to be purchased, containing matter prejudicial to the high authority, jurisdiction, and prerogative royal of the realm, or to the let, hindrance, or impeachment of the King's noble and vertuous intended purposes in the premises, upon paine of incurring His Highnes indignation and imprisonment, and farther punishment of their bodies for their so doing at His Grace's pleasure, to the dreadful example of all others. This proclamation, Hall tells us, was much thought of, and every word of the same taken much notice of. Some said it was occasioned by the Queen's having purchased at Rome a new bull for the ratification of her marriage. Others said it was owing to the Cardinal's having procured a bull to curse or excommunicate the King if he would not restore to him his old dignities, and suffer him to correct the spiritualties without his at all interposing and meddling with the same: which was thought most likely.

CHAP.
XXVII.

Hall,
Chron. K.
Hen. VIII.
fol. 139, b.

CHAP. XXVIII.

1. *The Clergy in a premunire, and ransom themselves and estates by giving the King a subsidy, and 2. by owning his supremacy: which is opposed by the Bishop of Rochester. 3. Remarks on this speech. 4. The King acknowledged to be supreme head, &c. and the clergy pardoned. 5. Some of the Bishop's family at Lambith poisoned.*

Archbp.
Wake's
State
of the
Church,
&c. p. 474.

Idem. p.
480.

Bp. Atter-
bury's
Rights, &c.
p. 80.

1. UNDER these circumstances the parliament met by prorogation towards the latter end of this year, *viz.* January 16th, and the convocation of the province of Canterbury after the same manner, and about the same time. The great work of this convocation was, to purchase their indemnity from the *præmunire* which they had generally incurred by their having offended against the statutes of provision and *præmunire*. These offences had been excepted in the general pardon which the King had granted to all his subjects the year before on purpose to keep the clergy in awe, and to have a tye upon them if they should oppose the King's measures. Wolsey had been a favourite beyond example, the sole and uncontrouled minister of his prince: he was at that time lord chancellor by the King's commission, and had been made legate with his privity, and, as Bishop Gardiner informs us, at his special instance. What he did in one capacity, as well as in the other, was presumed to be done by the King's appointment; and whoever had opposed him had certainly been crushed by the royal power. The subject neither durst, nor thought it necessary to enquire whether *he* had a license from the great seal, who had himself the keeping of it. And had Wolsey but kept his word, and attempted nothing by this commission contrary to the King's prerogative, or to the laws of the realm in vertue of it, he might as safely have enjoied this character of legat,

without any damage to himself or injury to the clergy, as Cardinal Pool afterwards did or might have done. But CHAP.
XXVIII. he abused it grossly in the exercise of it, and the clergy consented, or, at least, submitted and yielded obedience to this his unlicensed abuse of his authority, which was criminal even to the loss of liberty and estate: and could they in any case have vouch'd the King's command for their obeying it, the command would have been said to be against law and no warrant. Thus were all the clergy, and good part of the laity, unawares at the King's mercy, and the clergy not admitted to pardon *gratis*, as the laity afterwards were, but forced to ransom themselves and their estates by a good round^a sum for those times, *viz.* 100,000*l.* for the province of Canterbury, and 18,840*l.* and 10*d.* for that of York, and by a solemn recognition of the King's supreme headship. Though this was thought a somewhat partial and severe treatment of the clergy, thus heavily to fine *them* for doing no more than the King's other subjects had done, of whom yet no such fine was at all demanded, or, if it were, was not paid. The former part of this price, or the 100,000 pounds, Bailey tells us, Life of Bp.
Fisher,
chap. 15. was the price of the divorce; for that an account was given up in parliament that so much it cost the King to obtain so many instruments as he had from the foreign universities, and therefore when it was first proposed in the convocation, the Bishop opposed it, and spoke against it to this effect: "That it was not their faults, as they
" were the body representative of the clergy, that the
" King had been at any charges at all about that business, for to his knowledge the clergie were generally
" against it that any such matter as the King's marriage.

^a This sum was levied, as other Convocational grants were, on the Clergy, in proportion to their estates or benefices. Thus, Hall tells us, that for levying this fine every bishop in his diocese called before him all the priests, as well chauntry and parish priests, as parsons and vicars, which, he says, occasioned a great disorder at the Chapter-House of St. Paul's, where the chauntry priests, &c. mutinied and pleaded their poverty in excuse for their not paying any of this money. *Chronicle*, Hen. VIII. fol. 201, a.

CHAP. "should be at all brought in question: and that if any
 XXVIII. "faulty persons were among them, it was fit *they* should
 "be questioned and compelled to give His Majestie satis-
 "faction." But all this seems a feigned story, invented on
 purpose to expose the King's proceedings in relation to
 his divorce. The Bishop well knew how much the clergy
 were under the King's lash, by their offences against the
 statutes of *provisors* and *præmunire*, and, that to keep
 them in awe the act of pardon which passed this parlia-
 ment, howsoever general in other respects, yet excepted
 all offences against these statutes, by which, as Sir
 Thomas Moore observed, a good part of the Pope's pas-
 toral cure here was pared away: which yet the clergy had
 been so unhappy as to maintain unwittingly. Besides, if
 the design of this fine or ransome was only to defray the
 expense of the suit about the divorce, and that was no
 more than just one hundred thousand pounds, why was
 not this sum levied on the clergy of both provinces, but all
 of it raised on those of the province of Canterbury, and
 the clergy of the province of York obliged to raise more?

Rooper's
 Life of Sir
 Tho.
 Moore,
 MS.

Bailey's
 Life of Bp.
 Fisher,
 chap. 15.

2. Besides the payment of this money, it was likewise
 demanded of the clergy, that, in order to have the King's
 pardon, &c. they should acknowledge his primacy, or su-
 premacy. This the Bishop of Rochester is said, like
 another Athanasius of the clergy, to have stoutly opposed,
 and thus to have taken it into consideration in the following
 speech which he made against it in the upper house of
 convocation. My Lords, it is true we are all under the
 King's lash, and stand in need of the King's good favour
 and clemency, yet this argues not, that we should there-
 fore do that which will render us both ridiculous and con-
 temptible to all the Christian world, and hissed out from
 the society of God's holy Catholique Church; for what
 good will that be to us to keepe the possession of our
 houses, cloysters, and convents, and to lose the society of
 the Christian world? to preserve our goods and lose our

^b The punishment of those that offended against the statutes of *provisors*,

consciences? Wherefore, my Lords! I pray let us consider what we do, and what it is we are to grant, the dangers and inconveniences that will ensue therupon: or, whether it lies in our power to grant what the King requests at our hands, or whether the King be an apt person to receive this power; that so we may go groundedly to work, and not like men that had lost all honesty and wit together with their worldly fortune. As concerning the *first point, viz.* What the supremacy of the Church is ^{1.} which we are to give unto the King, it is to exercise the spiritual government of the Church in chief, which, according to all that I have ever learned, both in the Gospel and through the whole course of divinity, mainly consists in these two points; first, in loosing and binding sinners, according to that which our Saviour said unto Peter when he ordained him head of his Church, *viz. To thee will I give the keys of the Kingdom of Heaven.* Now, my Lords, can we say unto the King, *Tibi*, to thee will I give the Keys of the Kingdom of Heaven? If you say yes, where is your warrant? If you say no, then you have answered yourselves, that you cannot put such Keyes into his hands. *Secondly*, the supreme government of the Church consists in feeding Christ's sheep and lambs, according unto that when our Saviour performed that promise unto Peter, making him his universal shepherd by such unlimited jurisdiction, *feed my lambs*, and not onely so, but feed those that are the feeders of those lambs, *feed my sheep.* Now, my Lords, can any of us say unto the King, *pasce Oves*? God hath given unto his Church some to be apostles, some evangelists, some pastors, some doctors, that they might edifie the bodie of Christ; so that you must make the King one of these before you can set him over these. And when you have made him one of these supreme Heads of the Church, he must be such

&c. was perpetual banishment, and forfeiture of their lands, tenements, goods and chatels, as by the statutes appears more at large. *Cowcl, Law Interpreter, v. Præmunire.*

CHAP.
XXVIII.

- a head as may be answerable to all the members of Christ's body. And it is not the few ministers of an island that must constitute a Head over the universe, or at least by such example we must allow as many Heads over the Church as there are sovereign powers within Christ's dominion, and then what will become of the supremacy? Every member must have a Head. *Attendite vobis* was not said to kings but to bishops. *Secondly*, let us consider the inconveniences that will arise upon this grant. We cannot grant this unto the King, but we must renounce our unity with the see of Rome. And if there were no further matter in it than a renouncing of Clement the Seventh Pope thereof, then the matter was not so great; but in this we do forsake the first *four* general councils which none ever forsook; we renounce all canonical and ecclesiastical laws of the Church of Christ; we renounce all other Christian princes; we renounce the unity of the Christian world, and so leap out of Peter's ship to be drowned in the wave of all heresies, sects, schisms and divisions; for, the first and general council of Nice acknowledged Silvester the Bishop of Rome his authority to be over them by sending their decrees to be ratified by him. The council of Constantinople did acknowledge Pope Damasus to be their chief by admitting him to give sentence against the heretics Macedonius, Sabellius, and Eunomius. The council of Ephesus acknowledged Pope Celestin to be their chief judge by admitting his condemnation upon the heretic Nestorius. The council of Chalcedon acknowledged Pope Leo to be their chief head, and all general councils of the world ever acknowledged the Pope of Rome only to be the supreme Head of the Church, and now shall we acknowledge another Head, or one Head to be in England and another in Rome? *Thirdly*, we deny all canonical and ecclesiastical laws which wholly do depend upon the authority of the apostolical see of Rome.
3. *Fourthly*, we renounce the judgment of all other Christian princes, whether they be Protestants or Catholics, Jews or

• He died
Sept. 25,
1533.

Gentiles; for by this argument Herod must have been CHAP. XXVIII.
 Head of the Church of the Jews; Nero must have been
 Head of the Church of Christ; the Emperour must be
 Head of the Protestant Churches in Germany; and the
 Church of Christ must have had never a Head till about
 300 years after Christ. *Fifthly*, the King's Majesty is not
 susceptible of this donation. Ozias, for meddling with the
 priest's office, was resisted by Azarias, thrust out of the
 temple, and told, that it belonged not to his office. Now
 if the priest spake truth in this, then is the King not to
 meddle in this businesse: if he spoke amiss, why did God
 plague the King with leprosie for this, and not the priest?
 King David, when the Arc of God was in bringing home,
 did he place himself in the head of the priest's order?
 Did he so much as touch the Arc, or execute any the
 least properly belonging to the priest's function? Or did
 he not rather go before and *abase himself among the*
people, and say, that he would become yet more vile, so
 that God might be glorified? All good Christian em-
 perors have evermore refused ecclesiastical authority; for
 at the first general council of Nice certain 'bills were pri-
 vily brought unto Constantine to be ordered by his autho-
 rity, but he caused them all to be burnt, saying, *Dominus*
vos constituit, &c. "God hath ordained you priests, and
 "hath given you power to be judges over us, and therefore
 "by right in these things we are to be judged by you, but
 "you are not to be judged by me." Valentine, the good
 emperour, was required by the bishops to be but present
 with them to reform the heresie of the Arians, but he an-
 swered, "Forasmuch as I am one of the members of the
 "lay-people, it is not lawful for me to define such contro-
 "versies, but let the priests, to whom God hath given

^c Rufinus refert Lib. 1, c. 2, quod Imperator cum oblatos ab Episcopis libellos, quibus ob privatas injurias se invicem accusabant, suscepisset, hoc modo eos compellaverit, *Dominus vos constituit, &c.* verum nonnulla a veritate aliena hic Rufinum commemorare statuit Blondellus in tractatu *de formula*, regnante Christo in veteribus monumentis usu, pag. 175. *Itigij Histo. Concilij Niceni*, p. 35.

CHAP. "charge therof assemble where they will in due order."
XXVIII.

Theodosius, writing to the council of Ephesus, saith, it is not lawful for him that is not of the holy order of bishops to intermeddle with ecclesiastical matters. And now shall we cause our King to be Head of the Church, which all good kings have abhorred the very least thought therof, and so many wicked kings have been plagued for so doing? Truly, my Lords, I think they are his best friends that dissuade him from it, and he would be the worst enemy to himself if he should obtain it. Lastly, if this thing be, farewell all unity with Christendome; for, as that holy and blessed martyr, St. Cyprian saith, All unity depends upon that holy see as upon the authority of St. Peter's successors. For, saith the same holy father, all heresies, sects, and schisms have no other rise but this, that men will not be obedient to the chief bishop. And now for us to shake off our communion with that Church, either we must grant the Church of Rome to be the Church of God or else a malignant church. If you answer, she is of God, and a church where Christ is truly taught, his sacraments rightly administered, &c. how can we forsake, how can we flee from such a Church? Certainly we ought to be with, and not to separate ourselves from, such an one. If we answer, that the Church of Rome is not of God, but a malignant church, then it will follow, that we, the inhabitants of this land, have not as yet received the true faith of Christ. Seeing we have not received any other doctrine, any other sacraments than what we have received from her, as most evidently appears by all the ecclesiastical histories: wherfore if she be a malignant church we have been deceived all this while. And if to renounce the common Father of all Christendome, all the general councils, especially the first four, which none renounce, all the countries of Christendome, whether they be Catholic countries or Protestant, be to forsake the unity of the Christian world, then is the granting of the *supremacy* of the Church unto the King a renouncing of this unity, a

tearing of the seamless coat of Christ in sunder, a dividing of the mystical body of Christ, his spouse limb from limb, and tayle to tayle, like Samson's foxes, to set the field of Christ's holy Church all on a fire. And this is what we are about: wherefore let it be said to you in time, and not too late, Look you to that.

3. If this speech was really the Bishop's, its plain his lordship thought that the King, by being supreme Head of the Church of England, claimed the same power and authority over this particular church as the Pope assumed over the Church Universal; or, in Bishop Andrews's words, that the King was transubstantiated into the Pope. Thus, it seems, was Calvin imposed on by such a representation of the nature of the supremacy asserted by the King, viz. that all authoritie of the Church was abolished by Him, and He himself made the supreme Judge, as well in doctrine as in all spiritual regiment: and this occasioned that great reformer to censure those who gave the King the title thus explained as *inconsiderate* persons and *blasphemers*. It is well known, that the Kings of this realm never doubted of their having the same power within their dominions that Constantine had in the empire; and therefore, as after he became a Christian affairs of most concernment in the church had their dependence on the emperour, insomuch that he was called *Pontifex Maximus*, and, as Constantine stiled himself, Bishop of those things that are without the Church; so the Kings of England were reputed and writ themselves, the Pastors of the pastors and vicars of Christ. In the laws of King Edward the Confessor we find the kingly office thus described. *The King, because he is the Vicar of the Great King, is constituted for this purpose, that he might govern and defend the earthly kingdom and people of the Lord, from all injurious persons, and, above all, reverence his holy Church, and govern and defend that in the same manner.* So that we often find the prince extending his commands to the same things about which the priest used

CHAP.
XXVIII.

ad Bel-
larm.
Apolo.
resp. p. 30.
Bp. Bilson,
of Subject,
pⁱ iii.
p. 294, 295.

Sir Roger
Tusden,
Histori.
Vindica-
tion, &c.
ch. 5.

Cap. 17.

CHAP. XXVIII. his persuasions and admonitions. For instance, they ordered that children should be baptized within thirty days after they were born, and that such priests as were not prepared, or denied the baptizing them, should be punished: that no person should be admitted to the Eucharist, or to be a godfather, or to receive confirmation from a bishop, who did not know the Lord's Prayer and Belief. That persons instructed should receive the Communion three times a year. That matrimony should be restrained to the sixth degree of consanguinity, &c. In the same manner by their laws they ordered the observation of the Lord's Day, the payment of tithes, the punishment of incontinency, the division of old and the erecting of new bishoprics. They likewise, by their authority, called the bishops and clergy of their kingdoms to meet in councils, and sometimes presided in them themselves. But the church of Rome, under pretence of her supremacy and the dignity of St. Peter's chair, grew to such an incroaching, that the Pope pretended to have the last appeal to *him*, and so drew the King of England's people out of the realm to answer of things which belonged to the King's court. For this purpose were contrived the bulls of *provisors*, wherby the Popes disposed of all the bishoprics and abbathies in the kingdom worth having; and the oath which the bishops and abbats were to take to the Pope, of which so much has been said already, which were contrivances to make the clergy dependent on the Pope. For these reasons, the enacting of the King's supremacy was very properly called, *restoring the Crown to the ancient jurisdiction*; for that, the King had no more power given him than his progenitors the Kings of England were used to exercise since their profession of the Christian faith, *viz.* a power to order such things as are of the outward politie or governaunce of the Church within their own dominions. That this was the received sense of the King and parliament at this time, *viz.* that the title of *supreme Head of the Church of England* was

enacted to declare the King to be superiour to, or the sovereign of all his subjects both clergy and laity, and that they were not to be subject to the Pope, who now claimed a jurisdiction over all Christian princes and their countries, is very evident from the public acts of this time. When the King delivered to the speaker of the House of Commons copys of the oaths which the bishops and abbats took to the Pope and Himself, He told him, that he well perceived, that the clergie of his kingdome were but half his subjects, yea and scarce his subjects at all: since all the prelates at their consecration took an oath to the Pope clean contrary to the oath which they took to Him, so that they seemed to be the Pope's subjects and not His. By the act passed *two* years after for recognizing the King's Grace supreme Head, it was enacted, that the King shall have and enjoy, annexed and united to the imperial crown of this realm, all honours, dignities, preheminences, jurisdictions, privileges, authorities, &c. to the dignity of supreme Head of the Church of England appertaining; and that he shall have full power and authority from time to time, to visit, repress, redress, reform, &c. all such errors, heresies, abuses, offences, contempts, and enormities, whatsoever they be which by any manner, *spiritual authority*, or *jurisdiction*, ought or may lawfully be reformed, &c. Nothing can well be plainer than that the King is here declared supreme in the outward regiment or governaunce of the Church, or, as it is expressed 37 Hen. VIII. c. 17, in another act of the same reign, in what is commonly called ecclesiastical jurisdiction, which supremacy the Bishop of Rome, it's there said, has endeavoured to abolish. In the commissions now granted by the King to Bonner and other bishops, for holding their bishoprics, the particulars of this ⁴spiritual or ecclesiastical jurisdiction

CHAP.
XXVIII.

Bp. Bunnet's Hist. of the Reformati.

⁴ Spiritual men neither pretend, nor never dyd, all that authoritie to be given them immediately by God, but have authoritie now to do divers things bi the grants of kings and princes. *Sir Tho. Moore's Eng. Works*, p. 892, col. 2.

CHAP. tion are mentioned, *viz.* to confer holy orders in the
XXVIII. diocese of London, to give institution to and to deprive

vol. 1. Coll. clerks, and to collate to ecclesiastical benefices of his own
Book. 3. gift, to prove wills and grant administrations; to visit the
No. 14. cathedral, the monasteries, abbies, &c. and to enquire of
any excesses, crimes or offences whatsoever, of the cogni-
zance of the court ecclesiastical: and it is declared, that
there are some things divinely committed to a bishop by
the Word of God, which the King does not presume to
grant. To the same purpose was the oath, which, after

28 Hen. the Bishop's death, was enacted and required to be taken,
VIII. c. 10, *viz.* that from henceforth he should never consent, that
1536. the Bishop of Rome should practise, exercise, or have any
manner of authoritie, jurisdiction or power, within this
realm—but shall accept, repute, and take the King's
Majestie to be the only supreme Head on earth of the
Church of England. This was yet further explained in a

A. D. 1537. book printed the next year after the enacting this oath,
entituled *The Institution of a Christian Man*, and com-
posed by the archbishops, bishops, &c. in which they thus
expressed themselves: God, say they, constituted and or-
dained the auctoritie of Christian kings and princes to be
the *most high* and *supreme* above all other powers and
offices in the regiment and governance of his people; and
committed unto them as unto the *chief Heads* of their
commonwealths, the chief cure and oversight of *all* the
people which be within their realms and dominions,
without any exception. And unto them of right—be-
longeth—to defend the faith of Christ and his religion, to
conserve and maintain the true doctrine of Christ—to
abolish all abuses, heresies, and idolatries—and, finally, to
oversee and cause that priests and bishops do execute
their power, office, and jurisdiction truly, faithfully—
which notwithstanding,—it doth not appertaine unto the
office of kings and princes to preache and teach, to admi-
nister the sacraments, to absolve, to excommunicate, &c.
—but God hath constituted Christian kings and princes

to be as the *chief Heads* and overlookers over the said CHAP. XXVIII.
priests and bishops, to cause them to administer their
office and power, committed unto them purely and sin-
cerely. All this is, I think, sufficient to shew, that the
King had no notion of a power or authority conferred on
him by his being acknowledged *protector and supreme*
Head of the Church of England, of his having the keys of
the kingdom of Heaven, or of loosing and binding sinners,
and feeding Christ's sheep and lambs, or of doing such
things as belong to the order or office and administration
of bishops and priests. The instance therfore of King 2 Chro.
Ozias or Uzzah, is here very impertinently alledged by the xxvi. 18.
Bishop, since King Henry, by vertue of his supremacy,
did not pretend to do what *appertained not unto Him but*
to the priests. So as to what is said of King David, it is
not only as much forreign to the matter, but very much
misrepresented. It is not true, that the King *abased him-*
self among the people, by which the Bishop seems to inti-
mate as if he thought himself one of them, and inferiour
to the priests. The text only says, King David leaped 2 Sam. vi.
and danced before the Lord, or danced and played before 16.
the Lord with all his might, and that for this his wife 1 Chron.
Michael despised him, and compared him to one of the xv. 29.
vain fellows who openly exposed himself. To which
reproach the King replied, that it was before the Lord
who had appointed him ruler over His people, over Israel,
therefore would he play before the Lord, and be more vile
than thus, and would be *base, not among the people*, for of
them he said, *he should be had in honour, but in his own*
sight. But the Bishop should have remembered, that
this very prince, whom he represents as ranking himself
with the people, ordered the priests what they should do,
and appointed who of the Levites should minister before
the arc, and delivered to them a prescript form of thanks-
giving of his own composure to be used by them : that he
afterwards distributed the priests and Levites according
to their offices in their service ; and that his son, King

CHAP. Solomon, did the same, appointing, according to the order
 XXVIII. of David his father, the courses of the priests to their ser-
 vice, &c. and not only so, but thrust out Abiathar the
 1 Kings II. priest, or deprived him of his place, and appointed
 26, 27. Zadock in his room.

The bills which the Bishop here says were privily brought unto the Emperour Constantine at the council of Nice, were not synodical bills, or such as were prepared by the council for the emperour's approbation, as by the manner of expression here used one would think they were, but only bills of complaints exhibited by the several bishops one against another, which, when the emperour was acquainted with, like a wise and good prince, instead of reading them and canvassing their contents, he threw them all into the fire and burnt them. Rufinus indeed tells us, that upon this occasion Constantine spoke thus to the bishops who brought him these defamatory libels: *It is meet for us to be judged by you*, but you cannot be judged by any man. *Therefore wait for the judgment of God, who alone has authoritie to judge betwixt you.* *Ye are God's given of God unto us; and it is not convenient that a man should judge God's.* But all this rant is a mere fiction of Rufinus's, and so the learned Blundel has shewn it to be, as was intimated before; for, however Kings are in the Holy Scriptures stiled Gods, we never find priests there called by that name. Socrates tells us, that on the emperor's being inform'd of the business of these bishops who came to present to him their complaints, he told them, that Christ required, that whosoever will be forgiven himself he should forgive his brother; and that he talked with them for some time of peace and concord. Theodoret tells this story thus; that when these libels were brought to the emperor, he wrapt them all together, and sealed them with his own seal, and after he had made the bishop's friends who had referred their complaints to him, he burnt them in their presence, swearing he had never read them. The same Eusebius tells us; only with

Histo.
 Eccles.
 Lib. I. c. 8.

Histo.
 Eccles.
 Lib. I. c. 11.

this difference, that *he* represents the emperor as patiently hearing the complaints of these angry bishops against one another, and by arguments and persuasions at length reconciling them. As to the instance of Valentinian, whom the Bishop here calls the good emperor, the story as told by Sozomen is this, The bishops of Hellespont, and Bithynia, and the other bishops who affirmed, that the son was of the same substance with the father, chose Hyatian Bishop of Heraclea Perinthus to go on an embassy to the emperor to desire of him that they might be permitted to meet together for the correction of the doctrine of the faith, who when he came to the emperor, and had explained to him the commands of the bishops, Valentinian made him the following answer: *It is not fit indeed for me, who am a lay-man, very curiously to pry into things of this nature, but as for the priests, whose proper business it is, they may meet together by themselves wherever they please.* Here's not a word of the bishops requiring the emperor to be present at their assembly or council. And what if the question in dispute betwixt the Catholics and the Arians, as the several parties were distinguished, was so intricate as that Valentinian durst not take upon him to discusse and determine it, is this any reason to prove, that Christian princes may not rule over the clergy as well as the laity of their realms, or not meddle with the outward regiment of the Church? The emperor Theodosius, whose example is next recommended, we are told by Socrates, that he having ordered the bishops of the several sects to come before him, and bring him their several confessions of faith, he took them of every one of them, and retiring into his chamber by himself, he prayed to God that He would assist him to find out the truth; and after he had read the several confessions he commended and embraced the faith of the one substance, and condemned the other opinions as introducing a division of the Trinity, and accordingly tore in pieces the papers in which they were contained, and fa-

CHAP.
XXVIII.de Vita
Constantini, Lib.
III. c. 13.
Histo.
Eccles.
Lib. VI.
c. 7.Histo.
Eccles.
Lib. V.
c. 10.

CHAP.
XXVIII.

voured the Novatians, &c. So however modest the emperor Valentinian was in judging himself unfit to search into and determine this dispute, it's plain this emperor was not so. The Historian tells us, that commending the faith of the one substance, or of Christ's being of one substance with the Father, he received that alone, and accordingly established that partie by law. Has this the appearance of *his* believing it not lawful for him to intermeddle with ecclesiastical matters? As to the quotations pretended to be made from that holy father and martyr St. Cyprian, the words here alleged are no where to be found in all his writings which we now have. It has indeed been attempted, as has been shewn, to make St. Cyprian write at this rate, that on Peter alone Christ builds his church, and wills him to feed his sheep; that he constituted one chair, and that the primacy and this one chair is given to Peter, that the Church may be demonstrated to be One, and that he who forsakes Peter's Chair, upon which the Church is founded, does he trust that he is in the Church? But these readings have been demonstrated to be wilful corruptions to support the doctrine of the Papal primacy: and that these things which are scarce of so much credit as a fable or a dream, are very indiscreetly alleged for the confirmation of that right and more than imperial prerogative. Since nothing can be plainer than the father's asserting here, that the other apostles were what Peter was, endowed with an equal share of honour and power. Lastly, it is false in fact, that the Nicene fathers required a confirmation of their acts from Pope Silvester. Thus it was brag'd indeed by Fontidonius in his *Apology for the Council of Trent*, but he has been demonstrably confuted by Launoi, Chamier and Richerius. It is as false, that all the general councils of the world ever acknowledged the Pope of Rome to be the supreme Head of the Church. There are, even within the Roman Communion, who affirm, that the *Pope in doctrine and discip-

James,
Corrup.
of the
Fathers,
p. 129.

Bp. Fell's
note on
the words
*Hoc erant
utique*, in
Cyprian de
Unitate
Eccles.

* These are orders in Christ's Church by which a pope may be both ad-

line is subject to a general council: that he, as well as other bishops, is subject to the canons; and that general councils have a power of reforming the Church, and of calling even the Pope himself to an account, and of correcting and deposing him. And does this look any thing like their acknowledging the Pope to be their Head? CHAP. XXVIII.

4. However, Bailey tells us, that this speech of the Bishop's had that effect on the Convocation that they absolutely rejected what was proposed to them on the King's part, and would not acknowledge him supreme Head of the Church of England. It seems this was first proposed to the Convocation in these terms, *Ecclesiæ et Cleri Anglicani, cujus protector et supremum Caput is solus est.* Life of Bp. Fisher.
Bp. Atterbury's Rights, &c. p. 82, &c. But this would by no means be admitted; and the reason which the lower house is said to have given for their refusal was, *ne fortè post longævi temporis tractum, Termini in eodem articulo generaliter positi insensum improbum traherentur*: lest after some time the terms used generally in that article should be drawn to an ill sense, or taken in a wicked meaning. After three days, therefore, the King, finding them obstinate, was prevailed with to soften or restrain these general terms with the addition of *Post Deum* after or next to God. But neither would this form, it seems, pass, the clergy being determined, as it's said, to hazard all, as the Bishop had advised them, rather than comply with it; so on February 11, the archbishop brought in a yet further qualification of it, letting them know that the King was contented it should run thus, *Ecclesiæ et Cleri Anglicani cujus singularem protectorem unicum et supremum Dominum* [et quantum per Christi Legem licet, etiam supremum Caput] *ipsius Majestatem recognoscimus*: and with this salvo the supreme Headship was acknowledged and agreed to in form by both Houses. A. D. 1531. In

monished and amended, and hath be for incorrigible mind and lacke of amendment fynally deposed and chaunged. *Sir Thomas Moore's English Works*, p. 621, col. 2.

CHAP.
XXVIII.Ad C. Bel-
larmini
Apologiam
Respons. p.
23.May 15,
1532.Hall, Chro.
Hen. VIII.22 Hen.
VIII. c. 15.

the Upper House *nine* bishops, *viz.* all that were present, of which the Bishop of Rochester was one, subscribed to it, which occasioned Bishop Andrews afterwards to tell Cardinal Bellarmine, that *five* years before this title of the King's passed into a law, or rather, that the oath of supremacy was enacted, Bishop Fisher himself had 'subscribed to it in synod; and that *two* years before this decree was renewed in another synod, *viz.* That that Royal prerogative was in every thing agreeable to the Divine law: and that at Paul's Cross the several bishops had taught from the pulpit, that it was allowed by the Law of God. This dispute being over, and the submission finally consented to by the clergy, the terms of the King's pardon were soon agreed on, and the *præmunire* released by act of parliament. At the beginning of the next session, January 6, the pardon of the clergy, signed with the King's own hand, was sent to the Lords, who assented to the bill. But when it came to be read in the House of Commons it there met with some opposition, because those of the laity who had any thing to do with the Cardinal were not included in it: but on the King's signing their pardon likewise, which, as was said before, was done *gratis*, without their paying any ransom, it passed very readily. In the act passed for this purpose it is recited, that the most reverend father in God the Archbishop of Canterburie, and other bishops, suffragans, prelates, and other spiritual persons of the province of the archbishoprick of Canterbury, &c. which have exercised, &c. in spiritual courts and other spiritual jurisdictions, within the said province, have fallen into and incurred divers dangers of the King's laws by things done contrarie to them, and speciallie contrarie to the forms of the statutes of *provisors*, *provision*

' his aliisque multis rationibus inductus ac deceptus Roffensis (de quo postea sæpissime, gravissimeque doluit) necessitati præsentì cedendum ratus, persuasit reliquis qui firmiores adhuc erant in Clero,——ut saltem cum exceptione illa——*Quantum per Dei verbum liceret* obedientiam Regi in causis spiritualibus et ecclesiasticis jurarent. *Sanderi de Schismate Anglicano*, Lib. 1. p. 77.

and *premunire*: and therefore the King, of his benigntie and liberalitie, in consideration that the said archbishop, &c. in their convocation have granted him a subsidie of 100,000 pounds, is fullie pleased that it be enacted, &c. provided that every spiritual person beneficed in the province of York, be bound in a sum not exceeding two years' value of his benefices, &c. to Sir Brian Tuke, Knt. treasurer of the King's chamber, Christopher Hales, the King's attorney-general, and Baldwin Mallet, the King's solicitor, or the survivor of them, to paie or cause to be paid to the collectors of such subsidie, as much of those summes as shall be assessed upon him.

CHAP.
XXVIII.

5. It seems as if before this session of the parliament was ended whilst the Bishop, for his better attending on it, was at his house or place in Lambith Marsh, an attempt was made to poison his Lordship's family. One Richard Roose of Rochester, cooke, otherwise called Richard Cooke, having some acquaintance with the Bishop's cook, under pretence of making him a visit came into the kitchen, and took an opportunity to caste a certaine venim or poison into a vessel full of yest or barme, with which, and other things convenient, pottage or grewell was forthwith made for the family, wherby not only *seventeen* of the said family who eat of that pottage were mortally infected and poisoned, and one of them named Benet Curwen, Gent. actually died of it, but also certain poor people who resorted to the Bishop's place, and were there charitably fed with the remains of the said pottage and other victuals, were likewise infected, and one poor woman of them named Alice Tripit, widow, lost her life by it. This coming to the knowledge of the parliament, they in a just abhorrence of this detestable crime passed an act wherby it was ordered, that the said poisoning be adjudged and deemed high treason, and that the said Richard Roose, for the murther and poisoning of the aforesaid two persons, be attainted of high treason, and be therefore boiled

Act against
poisoning,
22 Hen.
VIII. c. 9.

CHAP.
XXVIII.

April 5,
1531, de
Schis.
Angli.
Lib. I. p.
76, edit.
Ingol-
stadil.

to death without having any advantage of his clergie : which sentence was accordingly put in execution the beginning of the next year, when Roose was in this manner put to death in Smithfield. Sanders reports, that Roose was hired to do this by Anne Boleyn to be revenged of the Bishop. But the act of parliament takes not the least notice of this being designed against the Bishop, but only against his Lordship's family, with some of whom, perhaps, Roose had a quarrel. It recites expressly, that the poison was put into a vessel full of yeast or barme, *to make pottage for the family and poor people*, of which, probably, his Lordship never used to eat. Besides, if Roose had been thus hired, can any one suppose, that when he found himself deserted, and sentenced by the parliament to suffer so terrible a death, he would not have been provoked to discover his accomplices ? But Bailey, to render this as probable as he could, adds another story of a canon bullet being shot from Anne Bullen's father's house across the River Thames, which entred the Bishop's house in Lambith Marsh, close by his study window : which is highly improbable.

6. In the same session of the parliament was passed an act concerning how aged poore and impotent persons, compelled to live by alms, shall be ordered, and how vagabonds and mightie strong beggars shall be punished. It's observed in the preamble of it, that in all places throughout this realm of England vagabonds and beggars have of long time increased, and daily doo increase in great and excessive numbers by the occasion of idleness the mother and root of all vices : and that tho' many and sundry good laws had before this time been made, for the most necessary and due reformation of this growing evil, yet that notwithstanding the great numbers of vagabonds and beggars were not seen in any part to be lessened, but rather they daily encreased in great routs and companies. It was therefore enacted, that the justices of the peace, &c.

should, in their respective divisions, make diligent search and inquirie of all aged, poor and impotent people, who lived, or of necessity were compelled to live, by almes of the charitie of the people, and have power by their discretions to enable such of them as they thought most convenient to beg within the limits of their division, and to give them in commandment that none of them should beg without the limits to them so appointed; and shall also register the names of every such impotent begger by them appointed in a bill or roll indented, wherof one part to remain with themselves, and the other in the keeping of the *Custos rotulorum*. The justices of the peace, &c. had further authoritie given them to make so many seals to be engraved with the names of the hundreds, rapes, wapentakes, cities, boroughs, towns, or places, within the which they limited any impotent persons to beg, and to make and deliver to every one of them a letter containing the name of such impotent person, and witnessing that he is authorized to beg, and the limits within which he is appointed to beg; which letter was to be sealed with such of the said seals as were engraved with the names of the limit, and subscribed with the name of one of the said justices, &c. The letter was to be made in the following form:

CHAP.
XXVIII.

Kanc ss. *Memorandum*, that A. B. of Dale, for reasonable considerations is licensed to beg within the hundred of P. K. and L. in the said countie. Given under the seale of that limit, *tali die de anno*.

The justices, &c. were to subscribe these letters thus: *Per me, A. B. unum Justiciariorum Pacis. Or Majorem Civitatis, or ballivum villæ, or constabularium talis Hundredi*, or else in like forme in English.

If any one begg'd without such a letter such a begger was to be set in the stockes three daies and three nights, and to have only bread and water. If any man or woman, being able to labor, were vagrants, they were to be ar-

CHAP. rested and tied naked to a cart's tail and whipped till their
XXVIII. bodies were bloodie. And after such punishment they were to be enjoined upon their oaths to return forthwith to the place where they were born, or where they last dwelt by the space of three years, and there to put themselves to labour.

CHAP. XXIX.

1. *The Bishop's house at Halling robb'd.* 2. *Account of the Clergy's submission.* 3. *The King communicates to the Commons the determinations of the foreign Universities concerning his marriage with Q. Katharine.*

1. **THE** Bishop, as Bailey represents him, being throlly A.D. 1531. scared with these attempts to murder him, removed himself and his family to Rochester. Here his Lordship resumed his customary labours of frequent preaching, visiting the sick, and converting the seduced: and for his recreation and diversion he used to go and look on the workmen who were employed in the repairing of Rochester Bridge, the *first* and *third* pere of which were to be maintained by the Bishop and his tenents. But, as if his troubles pursued him whithersoever he went, he had not been long in his diocese, but that residing at his place of Halling, situate on the River Medway, about 2 or 3 miles from Rochester, some thieves broke into the house in the night and carried off almost all the Bishop's plate. This was done so privately that none of the family knew anything of it till the next morning. But as soon as the servants found the house had been rob'd, they immediately went in pursuit of the thieves, and following them through the wood to which they guessed they had betaken themselves, they found several pieces of the plate, which the robbers in their hast to make their escape had drop'd: so that they brought some of the plate back again before the Bishop knew of the losse of any. But his Lordship

* *Episcopus Roffensis debet facere primam peram de ponte Roffensi, et debet invenire tres sullivas, et debet plantare tres Virgatas super pontem.*

—*Episcopus Roffensis debet facere tertiam peram, & debet tres sullivas & plantare duas virgatas et dimid. Lambarde, Perambulation of Kent, p. 383, 386, 390, ed 4^o. 1596.*

CHAP. coming down to dinner and perceiving an unwonted kind
XXIX. of heaviness and sadness in the countenances of his servants, he asked them what was the matter? This they appeared very loth and unwilling to tell him, looking one upon another as if they were afraid to speak themselves, and were therefore desirous that some one else should tell the Bishop the story. This still increased the Bishop's curiosity, and made him fancy that some great misfortune indeed had happened to him, they were so loath to let him know it. He therefore commanded them to tell him the truth, assuring them that he was armed and prepared for all adventures. But when they had given him a full relation of the whole matter, and how they had recovered again some of the plate, the Bishop, it's said, replied, "If
 " this be all, we have more cause to rejoice, that God hath
 " restored to us some than to be discontented that wicked
 " men have taken any away, for the least favour of God
 " Almighty is more to be esteemed than all the evil which
 " the devil and all his wicked instruments can do unto us
 " is to be valued. Wherefore let us sit down and be merry,
 " thank God it is no worse, and look ye better to the
 " rest."

Abp.
 Wake's
 State
 of the
 Church,
 &c. p. 475.

2. Two things stood in the way of the King's designs, the old papal constitutions, and the clergy's power of making new ones. To remove both these the Commons were made use of. At the very beginning therefore of the session of parliament, which met by prorogation January 15, towards the latter end of this year, the Commons again resumed their complaints against the clergy, and drew them up into a solemn petition, which they presented to the King, and the King delivered to the clergy in convocation for their answer. This petition was to this effect, That the clergy in their convocations made divers laws concerning temporal things without the King's royal assent, and without the assent or knowledge of the laity, or so much as making them known to them in their mother tongue, albeit several of those laws extended in certain

causes to the King's person, his liberty and prerogative royal, and to the interdiction of his laws and possessions, CHAP.
XXIX. and likewise to the goods and possessions of the laity; and that they declared the infringers of the same laws, thus made by them, not only to incur the terrible sentence of excommunication, but also the detestable sin and crime of heresy, &c. This petition of the Commons the archbishop brought into the convocation April 12th, and to it the bishops and clergy drew up their answer April 19, A. D. 1532. which proved far from satisfactory to either the King or the Commons. After great debates on this subject, in which no doubt the Bishop of Rochester had his share, they concluded to send the Bishops of London and Lincoln with certain abbats, the Dean of the Chapel, and Fox the King's almoner, to the King, with their petition, that he would please to preserve the liberties of the Church which both himself and his progenitors had hitherto protected. To this the King returned his answer in writing by his almoner at their next meeting, in which May 10. he peremptorily required, that no constitution or ordinance shall be hereafter enacted, promulged, or put in execution, unless the King's Highness do approve the same by his high authority and royal assent, and his advice and favour be also interposed for the execution of every such constitution among his Highnesses subjects. The reading of this answer of the King's put the convocation into a great disorder. They removed to the chapel of St. Katharine within the monastery, and there read it a second time. Then they were prorogued back to the chapter-house. But the archbishop and bishops went themselves presently to St. Dunstan's chapel and agreed, that the Bishops of Lincoln and Bath, with some others of the convocation, should go to the Bishop of Rochester's house, there to treat together of this answer of the King's, and meet the archbishop the next morning at his lodging within the palace of Westminster, and shew them their opinions therein. By this we see what a deference the

CHAP. archbishop and bishops paid to the judgment of the
 XXIX. Bishop, in that when he was not able to come himself to
 the convocation, they would not in so arduous an affair
 conclude any thing without his advice and opinion. 'Twas
 Bishop At-terburie's Rights, &c. p. 90. easie to foresee where this would end ; for Bishop Fisher's
 principles were well known.

Hall,
 Henry
 VIII.
 fol. 195.

3. On the 30th of May, in the afternoon, came into the House of Commons, by the King's command, the Lord Chancellor attended with several of the lords spiritual and temporal, to the number of about 12. The design of his coming, his Lordship told them, was, to communicate to them the determinations of the several forreign Universities concerning the unlawfulness of the King's marriage, which His Majestie, like a vertuous prince, willing to be satisfied in his conscience and to avoid all suspicion of partiality, had procured. Accordingly, Sir Brian Tuke took out of a boxe *twelve* writings sealed, and read them to the House word by word as they were translated out of Latin into English for that purpose. And after the reading these determinations there were shewed above an hundred books, composed by doctors of forreign parts, against the King's marriage, which for want of time were not read : and then the Lord Chancellor said further, that now the several members of that house might report in their countries what they had seen and heard, by which means the people would be satisfied that the King had not attempted this matter of will or pleasure, as some strangers reported, but only for the discharge of his conscience and the securitie of the succession of his realme. Accordingly, Hall observes, that when these determinations were published, all wise men in the realme much abhorred that marriage of the King with his brother's wife : but women, and such as were more wilfull than wise or learned, spake against the determinations, and represented the Universities as corrupted and bribed so to give their judgments. The pulpits likewise, and the press, interposed on this occasion for and against this marriage of the

King's. It has been before intimated, that Clarke, Bishop of Bath, and our Bishop^b wrote in defence of it to shew, that it was lawfull. Dr. Thomas Abell likewise, who was Queen Katharine's chaplain, both preached and wrote to the same purpose with a more than ordinary zeal and passion. The Bishop of Rochester wrote particularly against these judgments or opinions of the Universities, which he himself intimates he did with the privitie of Queen Katharine, who accordingly desired it of him when it was scarce half finished, to send it to Paris. In it, as he seems to intimate elsewhere, his Lordship shewed, that the prohibition in Leviticus, ch. xviii. ought to be understood of the brother's wife whilst he is yet living. This his Lordship observed was proved, not only from the authorities of many learned men and approved commentators on the Old Testament, who constantly followed this interpretation, but by other reasons and arguments which he there used. On the other hand Robert Wakefield, the King's professor of Hebrew at Cambridge, published a book to shew, that, besides the decree of Holy Church the marriage of a brother's wife carnally known is altogether unlawful, as being forbidden and interdicted both by the Law of Nature, the Law of God, the Evangelical Law, and the universal Custom of the Orthodox Church: and in another book he particularly opposed what had been written by the Bishop for the marriage.

4. During this session passed an act that no person, committing petie treason, murder, or felonie, shall be admitted to his clergie under subdeacon; the preamble to which is very remarkable, as serving to shew in what manner the popish prelates and clergy here in England treated their sovereigns, and how little they minded the promises which they made to them. It reports, that at a parliament held at Westminster in the *third* year of King Edward I. that prince moved the prelates of the realm,

CHAP.
XXIX.

Coll.
No. 27,
Rx. 39, 40.

23 Hen.
VIII. c. 1.

A.D. 1274.

^b Bale mentions a book of the Bishop's entituled *de primo matrimonio Regis*, but he seems never to have seen it.

CHAP.
XXIX.

and enjoined them on their faith that they owed to him, that in no wise they should deliver those clerks which were indicted for felonie, without due purgation, so that His Majestie should have no need to use any other remedy in that behalf. But that notwithstanding after this monition and injunction manie clerks convict were accustomedly delivered and suffered to make their purgations to the great encouragement of evil doers. This occasioned the Commons in another parlement, held in the fourth yere of King Henry IV. to complain of this among their other grievances, of which that prince then advertised the prelates, intending at the same time to have provided remedie for it by authoritie of the said parlement, as appertained to his prerogative royal, for the conservation of the peace of the crowne. But the *Archbishop of Canterbury then openly promised to the King, for himselfe and all other bishops of his province, that if anie person from thenceforth was convict of any treason which touched not the King nor his roiall majestie, and such as were notoriously known and reputed for thieves, and for such cause delivered to any ordinarie as a clerke convict, the ordinarie, to whom such person or persons were delivered, should safely keep them after the effect of a constitution provincial to be made by the said archbishop and bishops after the effect of the letters of Simon *Archbishop of Canterbury, bearing date the twelfe kalends of March, A.D.¹ 1350, and that no such traitor nor felon should make his purgation against the said constitution.

* Tho.
Arundel.

* Islip.

These letters of Archbishop Islip's, by the way, the Archbishop tells us, were occasioned by the secular judges putting their sickle more than usually into God's harvest, notoriously exceeding the bounds of their judicial power, and usurping a power over the Lord's bishops, who, he says, are by no law subject to them in criminous

¹ The copy of these Letters in Sir H. Spelman, Vol. II. p. 597, is dated at Lamhith, 12 Kal. of March, A. D. 1351, and of the archbishop's consecration the *third*.

cases. So that they were not afraid to condemn and deliver such as were notoriously known, and by themselves and others reckoned clerks to a shameful death. But he observed, that it was objected in parlement by the King, the nobility, and Commons, that clerks strengthened themselves in their wickedness under pretence of their privilege, and when they were taken in their crimes; or at least justly indicted and convicted, &c. they were with so much backwardness committed to gaol, and had so much favour, and were so deliciously fed there, that the prison intended for their punishment was rather a refreshment and delightful solace, where they were so pamper'd in their vices by ease, and such incitements as to grow perfectly wanton and make their escape out of this easy custody. Not only so, but some notoriously infamous criminals who were in truth wholly inexcusable, were yet so easily admitted to their purgations, as that they had sure hopes of returning to their former evil way of living by one means or other : so that not only the clerks thus purg'd became more wicked than ever, but innocent clerks by such easiness and neglect were encouraged to become criminous to the great infringement of the peace of the kingdom. All this was, it seems, so evident and notorious, that the archbishop could not deny that there was but too good an occasion for such a complaint, and therefore owned, that the abuse of ecclesiastical liberty, as the exemption of the clergy from the civil power was called, had so abounded as to put the whole kingdom into a disturbance. Therefore he now ordained concerning the imprisonment of clerks, that they should be closely imprisoned with all proper care according to the quality of the persons and heinousness of their crimes. And, that if any of them were notoriously infamous malefactors, that their enlargement would bring manifest scandal to the church and her liberty, or to the peace of the kingdom, then every *Wednesday, Friday, and Saturday*, they should be allowed once a day only bread and water of affliction ; on other

CHAP.
XXIX.

days bread and small-beer, but on the *Lord's day*, bread, beer, and pulse, for the honour and eminence of that day, and should have nothing given them by way of alms or gratuity from their friends or acquaintance, or on any pretence whatsoever, &c.

The preamble proceeds to observe, that Archbishop Arundel then promised the King to deliver to him before his next parlement the constitution provincial which he said he and the bishops would make, and against which no traitor or felon should make his purgation, that if it should seem to the King, that the same constitution were not sufficient remedie for the premisses, the King might provide such as should appertaine in that behalf. But so little mindful was the archbishop of this his promise, that, it seems, the constitution mentioned by him was never notified nor shewed either by him or the prelates of the realme, but continually ever since that time, manifest thieves and murderers indicted and found guiltie of their misdeeds, and delivered to the ordinaries as clerks convict, were soon set at liberty by their ministers or officers for corruption or lucre, or else because they would in no wise take the charges in safe keeping them were suffered to make their purgations by such as knew nothing of their misdeeds, by which fraud all the good and probable trial used against such offenders by the King's laws was annulled and made void. It was therefore now enacted, that no person which hereafter should be found guilty, after the laws of this land, of any maner of petie treason, murder or felonie should be admitted to the benefit of his clergy, unless he was of the orders of sub-deacon or above.

It was likewise ordered by another act, that wheras hitherto there had not been provided any great penaltie for the wilfull breaking of prisons of ordinaries by clerks convict, wherby they should stand in dread of doing such a thing. If any clerk convict being in prison of any ordinarie, did wilfully break the prison and make his escape,

such his breaking of prison, &c. should be deemed and adjudged felony, without the privilege or benefit of his clergy, or the enjoiment of any sanctuarie for the same: and it should be at the libertie of the ordinarie to disgrade anie such offender, and therupon the justices of the King's Bench to give judgment against him as if he was a layman. Provided, that if any such offender was of the orders of *subdeacon*, *deacon*, or *priesthode*, then after he was convict of the premisses, he was to be delivered of the ordinarie there to remain without any purgation.

CHAP.
XXIX.

In the same session complaint was made, that great number of the King's subjects, as well men, wives, servants, &c. dwelling in divers dioceses of this realme, had heretofore been often called by citations, &c. to appear in the Arches audience, and other high courts of the archbishops of this realm, far from and out of the dioceses where they lived, and many times to answer to surmised and feigned causes and suits of defamation, withholding of tithes, &c. That upon the parties not appearing he or she hath been excommunicated, or at least suspended from all divine service, and compelled not only to pay the fees of the court, amounting to the summ of 2*s.* or 20*d.* at the least, but also to pay to the sumnor by whom they were summoned, for every mile distant from the place of their abode to the court to which they were cited the sum of twopence, which, it was observed, was to the great impoverishment of the King's subjects, and on occasion of misbehavior and misliving of wives, women and servants, and to the great impairment and diminution of their good names and honesties. It was therefore now enacted, that no one should be cited to appear before any ordinarie, &c. out of the diocese or peculiar jurisdiction where he or she lived, except in the cases of spiritual offence, appeale, heresie, and probat of testaments. It was likewise ordered, that no archbishop, bishop, &c. should demand or take for the seal of any citation by them awarded above threepence sterling.

CHAP. 5. An act was likewise made this session concerning
 XXIX. restraint of the payment of *annates* or *first fruits* to the
 Life of Bp. see of Rome. This, it's said, was occasioned by an ad-
 Pecock. dress of the convocation to the King for such an act. Of
 the rise and progress of this exaction of the popes I have
 given an account elsewhere. But it's observed in this act,
 that to that degree had this extortion encreased, that by
 long approved experience it was well perceived, that great
 and inestimable sums of money had been daily conveyed
 out of the realm to the great impoverishment of it, and
 sometimes to the ruin of the friends of the persons pro-
 moted. Particularly it shewed, that it was evidently
 known, that there had passed out of this realm, since
 2 Hen. VII. to that present time, about 44 years, under
 the name of *annates* or *first fruits*, paid for the expedition
 of bulls of archbishoprics and bishoprics only, the sum of
 160,000*l.* sterling, almost fourty thousand pounds a year,
 which, according to the present value of money, is near
 three hundred thousand pounds; besides other great and
 intolerable sums which had yearly been conveyed to the
 court of Rome. Archbishop Cranmer paid for his bulls
 9000 gold ducats, which, at 4*s.* a ducat, comes to eighteen
 hundred pounds sterling. Therefore tho' the King and his
 subjects, as well spiritual as temporal, were as obedient,
 devout, catholic, and humble children of God and Holy
 Church, as any Christians whersoever, yet the said ex-
 actions of annates were so intolerable to this realm, that it
 was declared by the whole body of the realm, then repre-
 sented by all the estates of the same assembled in that
 present parlement, that the King was bound before God
 for the preservation of the good estate of his realm to do
 all he could to repress these exactions of *annats*, and espe-
 cially then when several prelates were in extream age, and
 their death soon expected, wherby great sums of money
 would shortly after their deaths be conveyed to the court
 of Rome for the unreasonable and uncharitable expediting
 of the bulls of their successors. Wherefore it was enacted,

That all such paiments, other than are declared in this act, should cease, and that no man should pay them on pain of forfeiting to the King all his goods and chatels for ever, and all the temporal lands and possessions of his archbishopric or bishopric during the time of his having or enjoying it. And if any person named or presented to the court of Rome by the King, &c. was delayed at Rome by means of restraint of bulls in apostolic and other things requisite therto, or shall be denied any of them, if it be for a bishopric, he should be consecrated here in England by the archbishop in whose province the bishopric lay, and if an arehbishopric by two bishops, to be named by the King, according and in like manner as divers others, archbishops and bishops, have been heretofore in ancient time by sundry the King's most noble progenitors made, consecrated, and invested in this realm: after which consecration, they were to be installed, and accepted and obeyed as archbishop or Bishop, &c. But that the pope might not think the pains and labour taken about writing, sealing and expediting of any bulls, &c. should not be sufficiently recompensed and rewarded, and, that he might more readily expedite them, it was ordered, that every person presented to an archbishopric or bishopric should pay for the writing and obtaining of his bulls, and en-sealing them with lead, five pounds sterling for every hundred pounds that the archbishopric, &c. is of clear yearly value; and that this should satisfie for the paiment of annates, and any other charge or exaction: It was further declared, that as the King and his parlement had no intention to use in this or any other like cause, any manner of extremity or violence without urgent occasion given to the contrary, but their principal desire was to disburden the kingdom of the great exactions beforementioned, and the intolerable charges of *annates*, the parlement thought it convenient to commit the final determination of this matter to the King, so that it seemed to him meet to move the Pope and his court amicably and reasonably to com-

CHAP.
XXIX.

pound or extinguish the payments of the said *annats*, or else to moderate the same in such wise as might be born by the kingdom. But if no redress could be had by these amicable means, and that the Pope would enforce the continuance of these exactions by excommunications, interdicts, &c. they should be no wise regarded, but that all sacraments and divine services should continue to be ministered notwithstanding, and the excommunications, interdicts, &c. should not by any of the prelates, &c. of this country, nor by any of their ministers or officers be any time published or executed.

Of the contents of this act the Pope was informed and certified, to the intent that by some gentle ways the exactions complained of might be redressed and reformed. But so stiff, it seems, was his holiness, that he returned no answer to the King, nor would enter into any treaty about this matter. And therefore after waiting near two years the King gave his roial assent to the above-said act, which by the act itself he had power to suspend till Easter 1533, or the beginning of the next parlement.

CHAP. XXX.

1. *The Commons in parliament make a representation to the King of the greatness of the grievance of the proceedings in the Ecclesiastical Courts ex officio.* 2. *Complaint made of these proceedings in a printed book, &c.* 3. *Sir Thomas More's answer to this book.*

1. **AFTER** Christmas the parliament began againe to sit, and among divers grievances complained of by the Commons was mentioned the cruelty of the ordinaries for calling men before them *ex officio*, or by reason of their office: for they would send for men and lay accusations against them of heresie, and say they were accused and exhibit articles against them, but no accuser should be produced. This to the Commons was very dreadful and grievous; for the party so cited and prosecuted must either abjure or be burnt, for *purgation he might make none. But, it seems, that at this time they were but on ill terms with His Majesty, having addressed him to dissolve them, and refused to pass a bill concerning *wards and *primer season*, which had been sent to them from the Lords. When therefore they, with their speaker, attended the King with their representation of this and other grievances which they had drawn up, His Majestie told them that he perceived their complaint consisted of divers articles against the clergy, of great and weightie consideration, and that, as it was not the office of a king, who is a judge, to be too light of credence, so he had not nor would not use the same, but would hear the parties that were accused speake before he gave any sentence: that

Jan. 15,
1531.
Hall, Hen.
VIII. fol.
202.

* See the
book of the
division
betwixt
the spi-
ritualtie
and tempo-
raltie.

* Daily men made feofments of their lands to their uses, and declared their wills of their lands with such remainders, that not only the King but all other lords lost their wards, marriages and reliefs, and the King also lost his *primer season*, and the profit of the livery, which was to him very prejudicial and a great loss. *Hall. Hen. VIII.*

CHAP. he much commended them for resolving not to contend
 XXX. or quarrel with the clergie who were their Christian
 brethren, but should commend them more if they would
 not quarrel with him who was their sovereign Lord and
 King, especially considering that he sought to live peace-
 ably and quietly with them. But tho' the Commons were
 thus disappointed in the design they had formed against
 the ordinaries, this shews what a spirit was now raised
 among them.

Londoni in
 sedibus,
 Thomæ
 Bartheletti
 prope
 aquagium
 sitis sub
 intersignio
 Lucretiæ
 Romanæ,
 excus. cum
 privilegio.
 Chap. vii.
 & viii.

2. Of these proceedings of the ordinaries *ex officio*,
 complaint had been lately made in print ^bas one great oc-
 casion of the division which there was between the spi-
 ritualty and the commonalty. Another occasion of the
 said division, said that writer, hath bin by reason of divers
 suites that have been taken in the spiritual courts *of office*,
 that is in Latine *ex officio*: so that the parties have not
 known who hath accused them, and thereupon they
 have sometimes been caused to abjure in causes of here-
 syes; sometimes to doo penance, or to pay great summes
 of money for redeeming therof; whiche vexation and
 charges the parties have thought have come to them by
 the judges and the officers of the spiritual court, for they
 have known no other accusers, and that hath caused much
 people in divers partes of this realme to thinke great
 malice and parcialitie in the spiritual judges. And if a
 man be *ex officio* brought before the ordinary for heresy,
 if he be notably suspected of heresye he must ^cpurge him-
 self after the will of the ordinary, or be *accursed, and
 that is by the law *Extrava: de hæreticis cap. ad abolen-*
dum. And that is thought to be a very hard law, for a
 man may be suspected and not guilty, and so be driven to
 a purgacyon without profe or without offence in him, or be
 accursed. And it appeareth *de hæreticis* lib. vi. in the
 chapter *in fidei favorem*, that they that be accursed and

* excom-
 municated.

^b The pacifier betweene the spiritualtye and the temporaltye.

^c Hall, as is before said, represents it otherwise, that the party accused
 might make no purgation, but this must be a mistake.

also parties to the same offence may be witnesse in heresy. And in the chapter *Accusatus perag: licet* it appeareth that if a man be sworne to say the truthe concerning heresy, as wel of himself as of other, and he firste confesseth nothing, and after, contrarye to his first saying, he appeleth both himself and other, if it appeare by manifest tokens, that he doth it not of lightnes of minde, ne of hatred, nor for corrupcyon of money: that then his witnesse in favour of the faith shall stand as well against himself as agaynst other. And yet it appereth evidentlie in the same court and in the same matter, that he is a perjured person. Thys is a daungerous lawe, and more like to cause untrue and unlawful men to condemne innocentes then to condemne offenders. And it helpeth little that if there be tokens that it is not doone of hatred nor for corrupcyon of money, that it should be taken; for sometime a wolfe may shew himself in the apparel of a lambe, and if the judge be parcial, suche tokens maye sooner be accepted then truly shewed.

In the chapter there that beginneth *Statuta quædam* it is decreed, that if the Byshop or other enquirers of heresy see, that any great danger might come to the accusers or witnesse of heresy by the great power of them that be accused, that then they may command, that the names of the accusers or witnes shall not be shewed but to the Bishop or enquirers, or such other learned men as be called to them, and that shall suffice though they be not shewed to the partie. And for the more indempnitie of the said accusers and witnes it is there decreed, that the Bishop or inquirers maye inioine such as they have shewed the names of such witness unto, to keepe them close upon payne of excommunicacyon for disclosing that secrete without their lycence. And surely this is a sore law, that a man shal be condemned and not know the names of them that be causers therof.

And though the sayde lawe seems to be made upon a good consideracion for the indenmitie of the accusers and

CHAP. *witnes*, yet it seemeth that that consideration cannot suf-
 fice to prove the lawe reasonable. For it seemeth that the
 accusers and witnes might be saved fro danger by
 another way, and that is by this way. If the Bishoppe or
 squyers drede; that the accusers and witnes might take
 surte as is saide before, then might they shew it to the
 Kinge and to his counsaile, beseching his Grace of helpe
 in that behalf, to save and defend the accusers and witnes
 fro thextort power of them that be accused. And if they
 would do so, it is not to suppose but that the Kinge would
 sufficientlie provide for their savegarde. But for as
 muche as it shoulde seme that spirituall men somewhat
 pretend to punish heresies onely of their owne power,
 without calling for any assistance of the temporall power,
 therefore they make suche laws as may helpe furth their
 purpose as they thinke: but surely that is not the charit-
 able way to put the knowledge of the names of the ac-
 cusers and witnesse fro him that is accused, for if he knew
 them he might percase alledge and prove so great and so
 vehement cause of rancour and malice in them that accuse
 him, that theyr saying by no lawe oughte not to stand
 against him: And that spirituall men pretend that they
 only should have the whole enquiry and punyshment of
 hersey it appeareth *Extra: de hereticis li. vi. Cap. Ut*
inquisitionis. perag. prohibemus. Where al powers, and
 al lordes temporall and rulers be prohibite that they shal
 not in any maner take knowledge or judge upon heresye,
 aith it is mere spiritual, and he that enquireth of heresye,
 taketh knowledge of heresie. And so the summe called
Summa Roselli taketh it *titulo excommunicat. perag. iiij.*
 And if that be true, it semeth then, that all justices of
 peace in this realme be excommunicate: for they by au-
 thorite of the King's commissions, and also by statute en-
 force of heresies. And I thinke it is not in the Church
 to prohibit that for though it were so that the temporall
 may not judge what is heresye and what not, yet
 they may, as it seemeth, by their owne authoritey enquire

of it and infourme the ordinary what they have found. And also if a metropolitaine with all his cleargye and people of his dyoces fell into heresie, it wold be harde to redresse it without temporall power. And therefore temporall men be ready, and are bounde to be ready, to oppresse heresies when they ryse, as spirituall men be. And therefore spirituall menne may not take all the thanke to themself when heresies be punished, as though theyr charitie and power onely dydde it, for they have the favour and helpe of temporall men to dooe it, or elles many times it would not be brought about.

CHAP
XXX.

Nevertheles, myne entent is not to prove the sayde lawes al wholly to be cruel and unreasonable: for I knowe well, that it is right expedient that straite lawes be made for punishmente of heresies that be heresies indede, more rather then any other offence, and that the discrecyon of the judges spirituall may right well asswage the rigour of the said lawes, and use them more favourably agaynst them that be innocentes, then agaynst them that be willefull offendours, if they will charitably search for the trouth. But surely if the saide lawes shoulde be putte into the handling of cruell judges, it might happen that they should many times punishe innocentes as well as offendours, but I trust in God it is not so. Neverthelesse, whether it be so or not, certain it is, that there is a great rumour among the people that it is so, and that spirituall men punishe not heresie only for zeale of the faith, and of a love and a zeale to the people with a fatherlie pittie to them that so offend as they ought to doe, how great offenders soever they be, but that they dooe it rather to oppresse them that speake anythyng agaynst the worldlye power or riches of spirituall men, or agaynat the *great confederacye* that, as many menne say, is in them to maintayne it.

And thoughe many spirituall men may be found that have right many great vertues and great gifts of God, as chastitie, liberalitie, pacience, sobernesse, temperance,

CHAP.
XXX.

cunning and such other, yet it will be hard to finde any one spirituall man that is not infect with the sayd desire and affection to have the worldly honour of priestes exalted and preferred. And therefore if any layman reporte any evil of a prieste, though it be openli knowen that it is as he sayth, yet they wyll be more diligente to cause the leymen to cease of that saying then to dooe that in them is to refourme that is amisse in the prieste that it is spoken of, taking as it were an occasion to dooe the lesse in suche reformaciouns because leyemen speake so muche againste them. But surely that will be none excuse to spirituall rulers before God, when he shall aske account of his people that were commytted unto theyr keping.

It is a commoun opinion amonge doctours, that none is an hereticke for that only that he erreth, but for that he defendeth opinatively his errour. And therefore he that erreth of simplicitie maye in no wise be saide an heretyke. And *Summa Rosella* in the title *Hæreticus in principio*, sayth, that a man may erre, and merit thereby: and he putteth this example. If a simple unlearned man heare the preaching of his bishoppe that preacheth sharply againste the faith, and he believeth it with a redy mind to obey, this man meriteth, and yet he erreth, but that is to be understand where ignorance excuseth. Then it semeth that it is not ynough to prove, that a man is an hereticke for that he hath holden opinions againste that y^e church teacheth, ne that he oughte not to make any purgacyon nor abjuracion for it, for that that he helde in such case was not his fayth, but the fayth of the Church was his fayth, though happelye he were not then fully avysed of it. And therefore St. Aydan, when he helde the wrong part of keping of Easter, was no heretike, and some say, that Saynt Chadde was of the same opinion as St. Aydan was which in likewise was no heretike, for theyr desire was to know the truth, and therefore it is not read, that they made eyther purgacyon or abjuracion; ne yet the abbot Joachim which neverthelesse erred, for he was

ready to submitte him to the determinacion of the Church, and therfore he was neither holden as an heretike ne compelled to abjure. Then, if this be soothe, it were great pitie, if it should be true as it is reported, that there shoulde bee so great a desire in some spirituall menne to have menne abjured, or have the extreme punishment for heresy, as it is said there is. For, as some have reported, if any will witness, that a manne hath spoken anye thinge that is heresie, though he speake it onely of an ignoraunce or of a passion, or if he can by interrogatories and questions be drieven to confesse anie thing that is prohibited by the Church, anon they will dryve him to abjure, or hold him atteynted without examining the entent or cause of his saying, or whether he had a minde to be reformed or not. And that is a verye sore waye, our lorde be more mercifull to our soules then so grievouslie to punishe us for every light defaulte.

CHAP.
XXX.

And here, some saye, that because there is so greate a desyre in spirituall menne to have menne abjure, and to be noted with heresye, and that some as it were of policy dooe noyse it, that the realme is full of heretykes, more then it is indeede; that it is very perillous, that spirituall men shoulde have authoritie to arrest a man for every light suspecion or complaynte of heresie, till that desyre of punishment in spirituall men be ceased and gone: but that they should make processe agaynste them to bring them in upon payne of cursinge; and then if they tarie fourty daies, the Kinge's lawes to bringe them in by a writ *de excommunicato capiendo*, and so to be brought forth out of the King's gaole to aunswere. But surely as it is somewhat touched before in the vii. chapter, it semeth, that the church in time past hath doone what they could to bring about, that they might punish heresy of themself without calling for any help therein of the secular power. And therfore they have made lawes, that heretikes might be arrested and put in prison, and stockes if nede wer, as appereth *Clementinis de hereticis cap.*

CHAP. *Multorum querela.* And after at the special calling on of
 XXX. the spiritualtie, it was enacted, that ordinaries might arrest men for heresie : for some menne think, that the said Clementine was not of effecte in the King's lawe to arrest any man for heresie ; but if a man were openly and notably suspected of heresy, and that ther wer sufficient record and witnesse against him, and there wer also a dout that he would flee and not appere wherby he might infect other, it semeth convenient, that he be arrested by the body, but not upon every light complaynt that full lightly may be untrue. And it will be right expedient, that the Kinge's highness and his counsaile looke specially upon this mater, and not to cease till it be brought to more quyetnes then it is yet, and to see with great diligence, that pryde, covetise, nor worldly love be no judges, nor innocents be punished, ne yet that wilfull offenders goe not without due correccion.'

English
 Works,
 p. 907,
 col. 2.

3. To all this Sir Thomas Moore, among other things, answered as follows : that if the convening heretics *ex officio* were left, and changed into another order by which no man should be called, be he never so sore suspected nor by never so many men detected, but if some man make himself partie against him as his accuser, the streets were likely to swarm full of heretics before that right few were accused, or peradventure any one either. For, whatsoever the cause be, he was sure it was not unknown, that many will give unto a judge secret information of such things as though they be true yet gladly they will not, or peradventure dare not, be openly aknowen, that the matter came out by them :—that this is a thing well known to every man, that in every sene, every session of peace, every session of gaole delivery, every lete thorowe the realme, the fyrst thing that the jury have given them in charge is heresy. And for all this thorowe the whole realme how many presentments bee there made in a whole yere ? He wened, he said, in some *seven* yere not one.—That he supposed this writer called those assem-

blies at the *Convocation* by the name of *Confederacies*, but that as for his dayes, as far as he had heard, nor, as he supposed, a good part of his father's neither, the clergie came never together to convocation but at the request of the King, and at their such assemblies concerning spiritual things have very little done—He could never witte them yet assemble for any great winning, but come up to their travaile, labour, cost, and paine, and tarry and talke, *et cetera*, and so gette them home againe:—that **Summa Rosella*, so often quoted by the *pacifier*, is so strange a booke to finde, and so hard to understand that very fewe men had medled with it before:—that the matters which have been laid unto heretics, they have not been by any subtile questions or interrogatories induced to confesse them:—that he thought there was no politic man of the spirituality that would noise it, that the realme is full of heretics more than it is indeed, wherby the heretics might be the more bold, and the catholics more inclinable to the worse part, and the more faint and fickle in the faith. But, that he knew this very well, that heretics have made that noise both for the cause aforesaid, and also to feare the ordinaries therewith, and to put their officers in dread from doing their office.' This I thought proper to observe here in the order of time as it happened, because it serves to shew the steps that were made towards a reformation, and what induced people to enter into such measures. I now return to what more immediately concerns the History of the Bishop.

* This *Summ* with the *Summa Angelica* is often quoted and made much use of in a Law Book entitled, *The Doctor and Student*.

CHAP. XXXI.

1. *Archbishop Warham is succeeded by Cranmer, who hears the debates in Convocation about the King's marriage, and, 2. Pronounces the Sentence of Divorce. 3. The Bishop's troubles. 4. An Act against Appeals to Rome. 5. Pylcher and Bechyng abjure.*

1. **THE** King's great matter, as it was called, or the affair of his divorce now drew towards a conclusion. Warham, Archbishop of Canterbury, dying August 23, 1532, was succeeded by Cranmer, who was consecrated A.D. 1533. March 30, the very beginning of the next year. To take off all scruples concerning the proceedings of the convocation, before which this business of the King's divorce was intended to be brought, and which might seem to have been put an end to by the archbishop's death, the prior and chapter of Canterbury issued out their 'mandate for a new summons of the members of the Convocation, and for new elections of proctors for the cathedral and diocesan clergy which were appointed to be returned March 17. As soon therefore as the new archbishop was consecrated, and had performed every thing that was necessary for his investiture in the archbishopric he came and sate in the upper house of Convocation. Here were read the judgments or determinations of the Universities concerning the unlawfulness of the King's marriage. On which followed a very warm and earnest debate on these two questions, Whether it was against the Law of God, and indispensable by the Pope for a man to marry his brother's wife, he being dead without issue, but having consummated the marriage? And whether prince Arthur had consummated his marriage with the queen? This was chiefly managed in the Upper House by the Bishop of

Histo. of
the
Reform.
Vol. I.
p. 129.
April 1,
1533.

A.D. 1533.
Archb.
Wake's
State of the
Church,
&c. p. 398.

* Commissio Ep. London ad eligendos procuratores in Convocatione dat. Febr. 16, 1532.

Rochester, and Stokesley Bishop of London. Stokesley CHAP. XXXI.
maintained, that for a man to marry his brother's wife, Rooper's
&c. was not only against the written Law of God, but ~~as~~ Life of Sir
directly against the law of nature, that it could in no wise Thomas
be dispensed with by the Church. On the other hand More, MS.
the Bishop of Rochester argued for the negative. But
the question being put at the conclusion of the debate, of
216 fathers who were there either in person or by their Antiquit.
proctors, all except 19 assented to the affirmative that the Brit. Vita
King's marriage was utterly unlawful. It is, I suppose, to Cranmeri.
this debate that Mr. Secretary Cromwell referred when he
told the Bishop, as will be shewn by and by, that men re-
ported, that at the last Convocation he spake many things
which he could not well defend,

2. The Convocation having thus finished the business Histo.
for which it was summoned, and being therefore prorogued of the
and risen, the archbishop obtained the King's license to Reformat.
proceed in the cause of the divorce. The queen therfore Vol. I.
was here cited to appear before the archbishop and his p. 131.
assessors the Bishops of London, Winchester, Bath and Hall. Hen.
Lincoln, &c. May 10th, at *Dunstable, about six miles VIII. fol.
211. b.

^b In the Instrument drawn up on this occasion it's said there were of the
Divines who appeared in their own persons, 75
of those who appeared by their proctors, 197

in all 272

Of which there voted for the affirmative 253
and for the negative only 19

of jurists and canonists, among which were some bishops, }
who appeared in their own persons 44

who appeared by proxy, 3 bishops, 3
in all 47

of which there voted for the affirmative 41
negative 6

* Rooper
says St.
Alban's.

Fiddis's
Life of
Card.
Wolsey,
Coll.
No. 90.

But if I have told the names right there were 209 of the Divines who
voted by proxy, so that the whole number of Divines and Civilians, &c.
who voted on this occasion was 321, of which voted for the affirmative 296,
and for the negative 25.

CHAP. from Amptil where the princess dowager, as she was now
 XXXI. called, lay. The citation was served on her by Dr. Lee, but at the day fixed for her appearance she came not, but made default, and therefore after fifteen days sitting, and her being peremptorily cited every day, to appear in court, the archbishop, with the advice and consent of the bishops aforementioned, and by the assent of all the learned men there present, pronounced sentence, that the King's marriage was only a marriage *de facto*, but not *de jure*, and, that it was null from the beginning. But the King, it seems, impatient at the delays which had been used, and content with the judgment of the Convocation and parliament, would not wait for the formality of this sentence, but was married to his new queen the *14th of November, or St. Erkenwald's day. Erkenwald's day, before : which marriage was confirmed by the archbishop at Lambith, May 28, 1533.

* Erkenwald's day.
 Hall's
 Chro. 33.
 H. VIII.
 Coll.
 No. 26.

May 11,
 1533.
 Hall.

3. And now the Bishop's troubles, like clouds in a rainy season, or the waves of a troubled sea, followed one another very close ; as we shall see in the next and succeeding chapters. But before I proceed to them, it may not perhaps be foreign to my purpose to take notice of some things done in the mean while. In May this year, the King sent for the speaker and twelve of the members of the House of Commons in the interval of their sessions, having with him eight lords, and delivered to him a translation of the oath which the bishops and abbats then took to the Pope, at their consecration, together with a copy of that which they took to himself: telling him at the same time, that by these oaths it appeared to him, that the clergy, who he thought were his subjects *wholly*, were but half his subjects, nay scarce his subjects at all, and leaving it to them to improve the intimation in what way they thought fitting, and to reduce the clergy to as entire an obedience to the crown of England as was paid by the laity. And this had its designed effect. Hall tells us,

* By whom this was made is uncertain : Collier ignorantly affirms it to be Bishop Burnet's.

that the opening of these oaths was one of the occasions why the Pope within two years following lost all his jurisdiction in England. From whence this English translation of this oath of the bishops to the Pope was made, which the King now delivered to the speaker, I don't find. It's plain, that it is very different from that which our two archbishops, Chichele and Cranmer took, and far from being the same with that in the present Roman pontifical, tho' more agreeable to that than to the others. The learned Mr. Collier seems to have supposed, that the oath in the pontifical was the original from whence this translation was made. With the same critical exactness he fancied, because Bishop Burnet had transcribed these oaths in Hall and put them in his History of the Reformation, therefore *he* made the translation of the Bishop's oath to the Pope. With the same judgment and equal truth, he accuses his lordship of fraud in the translation. Bishop Burnet, says he, translates *prosequar et impugnabo* in the original by *resist and persecute*. Whereas if the pontifical be the *original* I am very sure this clause is there expressed thus. *Hæreticos, Schismaticos, et rebelles eidem Domino nostro, vel successoribus prædictis proposse prosequar et impugnabo*. CHAP. XXXI.

Eccl. Hist.
Vol. II.

Eccl. Hist.
Vol. II. p.
68. col. 2.
marg.
Pontificale
Romanum,
p. 60, col.
1. ed.
Antuer
1627.

4. The next session of the parliament began at Westminster, the 4th of February this year, and continued till the *seventh* day of April following. In it passed an act, that Appeals *in such cases as hath been used to be pursued to the see of Rome shall not be from henceforth had nor used, but within this realme*. This seems to have been occasioned by the Commons being made sensible in what manner the bishops, &c. were sworn to the Pope, as if he was their sovereign and liege lord. They therefore observed, that by divers and sundrie old authentick histories and chronicles, it is manifestly declared and expressed, that this realme of England is an Empire, and so hath been accepted in the world, governed by One Supreme Head and King who has the dignitie and roial estate of A.D. 1533.

CHAP.
XXXI.

the Imperial crown of the same, and unto whom a bodie politick, compact of all sorts and degrees of people divided in terms and by names of *Spiritualtie* and *Temporaltie* are bound and ought to bear, next to God, a natural and humble obedience: That the King is also instituted and furnished by the goodnesse and sufferance of almighty God with ~~plenarie~~ whole and intire power, preheminance, &c. to render and yield justice and final determination to all manner of folks that are resident or subjects within this his realme in all causes happening to occur within the limits therof, without restraint or appeal to any forreign princes or potentates of the world: That the bodie spiritual of the realm has power when any cause of the Divine Law or of spiritual learning happens to come in question '—— to declare and determine all such doubts, without the intermeddling of any forreigner, and to administer all such offices and duties as to their places doe belong: That for the due administration of these offices, and to keep that part of the body politick called the spiritualtie, usually called the English Church, free from corruption and sinister affection the King's most noble progenitors, and the ancestors of the nobles of this realm have sufficiently endowed the said Church both with honour and possessions: That for trial of propertie of lands and goods, and for the conservation of the people of this realme in unitie and peace without ravine or spoile the laws temporal were and are yet administered by sundrie judges and officers of the other part of the said bodie politick, called the temporaltie, and both their authorities and jurisdictions do join together in the due administration of justice the one to help the other.' It was added, that the King, his most noble progenitors, and the nobilitie and commons of this realme, at divers and sundry ~~parlements~~, as well in the time of King Edward I. and III. Richard II. Henrie IV., and other noble kings of this realm made sundrie ordinances, lawes, statutes and provisions for the intire and sure conservation of the prero-

gatives, liberties and preheminences of the imperial crown of this realme, and of the spiritual and temporal jurisdictions of the same, to keep it from the annoiance as well of the see of Rome, as from the authoritie of other foreign potentates attempting its diminution, as often and from time to time as any such annoiance or attempt might be knowne or espied: But that notwithstanding the said good statutes, &c. for the preservation of the authoritie and prerogative of the said imperial crowne, yet since the making them divers inconveniences and dangers, not plainly provided for by the said former acts, &c. have risen and sprung by reason of appeales sued out of this realme to the see of Rome in causes testamentarie, causes of matrimonie and divorces, right of tithes, oblations and obventions, not onelie to the great vexation, trouble, costs and charges of the King's Highnesse, and manie of his subjects, but also to the great delaie and hindrance of the true and speedie determination of the said causes, forso-much as the parties which appeale to the said court of Rome most commonly do so for delay of justice. Besides that as the great distance of way was so far out of this realme, the necessary proofs, nor the true knowledge of the cause could neither be so well known at Rome, nor the witnesses there so well examined, as they could be here, so that the parties grieved by means of these appeals were most times without remedie. In consideration of all these evils and inconveniency which long experience had shewn were occasioned to the King and his subjects by the prosecution of these appeales, it was now enacted, that all causes testamentary, &c. the knowledge wherof by the goodness of princes of this realme, and by the laws and customs of the same appertaineth to the spiritual jurisdiction of this realme, should be henceforth heard, examined, and finallie and definitivelie determined within the King's jurisdiction and authoritie, and not elsewhere.' This affected the King's own cause which had now been depending for some time, since in the act such causes as

CHAP. were already commenced and depending were expressly
XXXI. mentioned.

Reg.
Fisher.

Feb. 10,
1531.

5. Amidst these transactions the Ecclesiastical jurisdiction in the Bishop's diocese of Rochester was still executed with its usual vigor, especially against those who were suspected of what was called heresy. For instance, one John Pylcher, who is called a weddid man of the Parish of Coxston, was forc'd to abjure on account of his being accused for saying, that he *believed, that his soull should arise at the day of iuggement, but so should nat his body and bones.* John Bechyng preste parson of Ditton in this diocese abjured his saying ;

1. That he had nat beleyved in the Sacraments of Christ's Church, *viz.* in the Sacrament of Penance and Confession.

2. That he had said and celebrated Masse by the continuance of halfe a yere or thereabowte, and might have hadd prestis for to here his confession, and of all that tyme did make no confessioun but twyse or thrise at the mooste.

3. That he had spoken before divers persones, that a preste beinge in dedely synn mygth' take uppon hym to consecrate the blessyd sacrament of the aultar.

4. That he had sayde to a layeman, that the layeman myght as well here his confessioun as *he*, beynge a preste, myght here the layeman's confessioun, meanynge, that the prestis have as little authoritie to heare the confessiouns of the lay-men as the laye men of the prestis.

5. That he had sayde, that he was not bownde by Scripture to make confessioun.

Sept. 6,
1532.

Peter Durr, priest of Gravisende, abjured his saying and holding,

1. That the soul of St. Augustine is not in heaven.

2. That the Pope and the rest of the archbishops and bishops have no authoritie to make Laws.

^d So it is spelt in the Register, as the man pronounced it, the o in *Kent* being commonly pronounced as the a.

3. That Luther is not an Heretick.

4. That he had said, that his prayer was altogether as good with the omission of the B. Virgin Mary, as with it.

CHAP.
XXXI.

* It was then usual in the pulpit prayer before Sermon, not only to use the Ave Maria but to address immediately to the B. Virgin. Of this we meet with frequent instances in the Sermons of Cornelius Mussus Bishop of Britontino, particularly in one of his Sermons on the Nativity preached in the Cathedral Church of Passau in Germany, 1530. *Virgo Mater, ecce in navi sumus, et navigamus omnes nos tu respice quæso in quantis periculis fluctuat Ecclesia: Ecclesiam dico et filij tui et tuam. Ad te oculos nostros attolimus, O stella maris, Monstra te esse matrem, &c.*

CHAP. XXXII.

1. *An account of Elizabeth Barton, called the Holy Maid, or Nun of Kent. She names the Bishop of Rochester on her examination, among her confederates. His conduct in this affair.* 4. *It is brought before the parliament.* 6. *The Bishop is condemned as guilty of misprision of Treason, which the King pardons.* 7, 8. *Of the Holy Maid of Ipswich.*

A.D. 1525. 1. **ABOUT** Easter seven or eight years before, there was one **Elizabeth Barton**, a maid servant to **Thomas Cob** of **Aldington**, near **Romney-Marsh** in **Kent**, who seems to have been troubled with that species of the hysterical passion which by the physicians is commonly called the **suffocation of the matrix*. For thus she is represented as having a distemper in her body which used to ascend or rise upwards into her throat where it swelled greatly, during which she seemed to be in very great pain, inso-much as one would have thought and believed, she had suffered the pangs of death itself until the distemper fell down into her body again. Thus she continued at times the space of seven months and more, till at the last in the month of November she, being ill of these fits, asked with great pangs and groaning whether a young child of her master's which then lay desperately sick in a cradle by her was dead. The women who attended on both her and the child in their sickness answering No, she replied, that it should die **anone*, which she had no sooner said, but the child fetched a great sigh and died. This her divination and foretelling was the first occasion of her being taken notice of as an extraordinary person. But after this, in several of her following fits, altho' she

* present-
ly, or by
and by.

* Those that are obnoxious to this species, &c. are for the most part of a more than ordinary sanguine constitution, and masculine habit of body. *Dr. Sydenham's Tracts, &c.*

seemed to the standers by to lie as still as a dead body, without any motion, as well in the trances themselves as after the pangs were over, she told plainly of a great many things done at the church and other places where she was not present, which nevertheless she seemed by the signs she made most lively to behold, as it were, with her eyes. She spake also of heaven, hell and purgatorie, and of the joies and sorrowes that several departed souls had and suffered: she talk'd very freely against the corruption of men's manners, and their wicked lives: she exhorted people to frequent the church, to hear masse, to confesse themselves to the priests, to pray to our Lady and the Saints: and, to be short, made in all points confession and confirmation of the Roman Creed and Catechism, and that with so much devotion and discretion that ^bThwaites, the author of this account, who, it seems, was not in the secret, thought it not possible for her to speak in such a manner. Among other things she would often say, that *she would goe home*, and that *she had been at home*, wheras to the understanding of the standers by she had never been from home, nor moved from the place where she lay. Whereupon when she was in another trance, some of them asked her, *where that home was?* She answered, *where she saw and hearde the joies of Heaven, where St. Michael^c weighed souls, where St. Peter carried the keys, and where she herself had the company of our Lady at ^dCourt of Streete, whome she had heartily besought to heal*

CHAP.
XXXII.

^b I have taken this account from Mr. Lambard, who tells us he had it from a book or pamphlet of 24 leaves, written by Edward Thwaytes, Gent., and printed by Robert Redman, entituled, *A marvelous worke of late done at Court of Streete in Kent, published to the devout people of this time for their spiritual consolation.* Perambulation of Kent, &c. p. 189, &c. ed. 4^o. 1596.

^c In the Salisbury portulise St. Michael is represented as the angel to whom God has delivered, or given power over the souls of the saints, that he ~~may lead~~ ^{should} conduct them into the paradise of joy. Accordingly he is ~~mentioned~~ ^{mentioned} in the devotions of the Roman Church as the receiver of souls. Hence, I suppose, came the gross notion of his weighing them.

^d Courtop-Strete, as the place is called, is in the parish of Lymyne, next to Aldington, where was a hermitage on the side of the hill overlooking

CHAP.
XXXII.

*her distemper, and who had commanded her to offer unto her a taper in her chapel there, and to declare boldly to all Christian people, that our Lady of Court of Streete had revived her from the very point of death: and that her pleasure was, that it should be rung for a miracle. To which last words her master replied, that there were no bells at that chapel, to which the maid answered nothing, but the voice that spake in her proceeded saying; Our blessed Lady will shew more miracles there shortly, for if any depart this life suddenly or by mischance in deadly sin, if he be vowed to our Lady heartily, he shall be restored to life again to *receive shrift and housell, and after to depart this life with God's blessing.* She told them besides, what the Hermite of that Chapel of our Lady had for his supper, and many other things concerning him, wherat they much wondered. From that time forward she resolved with herself to go to Court of Streete, and there to pray and offer to our Lady, which also she did accordingly, and was there delaied of her cure for some time, tho' yet put in assured hope of recoverie.

* be confessed and receive the sacrament.

Hore beatissime Virginis Marie, &c. 1555.

2. By the way one would think by what is said of our Lady's restoring to life again those who were vowed to her and died suddenly, &c. in deadly sin, that they might be confessed, &c., that she knew nothing of the receipt in the Salisbury primer to keepe people from thus dying. It is there advertised in English, that no body might be ignorant of it, in the very words that follow, *Who that saythe devoutly this shorte prayer dayly shall not departe out of this worlde, *wittut penaunce and ministracion of the holy sacrament, the which was shewed by an angell unto S. Bernarde.*

* without.

Romney-Marsh, and a little chapel, the ruines of which are still standing, dedicated to the Blessed Virgin, who in the Roman devotions is stiled *formosa stella maris*, and accordingly were her chapels often situated within sight of the sea. Thus that famous one at Walsingham (which, Erasmus tells us, was held in so much esteem, that scarce any one in England who had any regard for his welfare omitted visiting it once a year) was not far from the sea, and the image therefore called Virgo Parathalassia.

Ave Maria ancilla sancte Trinitatis,
 filia sempiterni Patris,
 sponsa Spiritus Sancti,
 Mater domini nostri Jesu Christi.
 soror angelorum,
 promissio prophetarum,
 regina patriarcharum,
 magistra evangelistarum,
 doctrix apostolorum,
 comfortatrix martyrum,
 fons & pulchritudo confessorum,
 decus et corona virginum,

CHAP.
 XXXII.

Ave Maria salus et consolatrix vivorum & mortuorum
 mecum his in omnibus tentationibus, tribulationibus, ne-
 cessitatibus, angustijs, et infirmitatibus meis. Et impetra
 michi veniam omnium delictorum meorum. Et maxime
 in hora exitus mei non desis michi Optissima Virgo Maria,
 Amen. Paternoster. Ave Maria.

3. In the mean while the fame of this wonderful maid,
 as Thwaits calls her, was so spread abroad that it came to
 the ears of Archbp. Warham, who gave a commission to
 Dr. Bocking, Hadleigh and Barnes, three monks of
 Christ-Church Canterbury, to Father Lewes and his fel-
 lowe, two friers observants, to his official of Canterbury,
 and to Richard Master, rector of Aldington, to go to this
 maid to examine the matter and to informe him of the
 truth. These men apposed her of the chief points of the
 Popish belief, and finding her sound therein made a

examined.

* This perhaps is a mistake for Thomas Laurence of Canterburie, the
 archdeacon's register.

† 18 Novem. 1514. Richardus Master, A. M. ad Ecclesiam de Aldyngton * Thorn-
 per liberam resignationem Ven. Viri D. Joannis Del Gratia Cironen : Epis- ton, the
 copi ad collationem Archiepiscopi, juratus ad bene et fideliter solvendam Abp's
 quandam annuam pensionem 20 librarum cuidam Magistro Erasmo Rother- suffragan.
 rodamo Clerico nuper dicte Ecclesie Rectori. Dr. Knight's Life of Erasmus.

Of this gentleman Erasmus gave the following character.—Præfecit,
 Arch. Warhamus, juvenem rei Theologicæ peritum, probatis et integris mo-
 ribus. Ecclesiastes, Lib. I.

CHAP. favourable report of her to the archbishop, and counte-
 XXXII. nanced and joined with her in her extasies and trances.
 So that at her going again to Our Lady of Court of
 Streete she entred the chapel in a solemn procession ac-
 companied with the commissioners, many ladies, gentlemen
 and gentlewomen of the best degree, and 3000 persons
 besides, of the common sort of people of the country, with
 the following anthem sung as it was set to music.

Officium B.
 Mariæ Vir-
 ginis nuper
 reforma-
 tum, &c.

Ave Regina Cœlorum:
 Ave Domina Angelorum:
 Salve radix, Salve porta,
 Ex qua mundo Lux est orta:
 Gaude Virgo gloriosa,
 Super omnes speciosa,
 Vale ô valde decora,
 Et pro nobis Christum exora.

There fell she immediately into a wonderful passion before the image of our Lady, much like one subject to the falling sickness, in which she uttered several rhyming sayings in verse tending in the first place to the worship or honour of our Lady of Courtop-street, whose chapel there she wished to be better maintained, and to be furnished with a daily singing priest: next relating to herself's being placed in some religious house, for such, she said, was Our Lady's pleasure; and finally and fully to the advancing of the credit of her several fained miracles. This done and reported to the archbishop, she was by him ordered to St. Sepulchre's, a house of Black Nuns in the suburbs of Canterbury, a little to the south of St. Austin's Abby. Here she had several times her former distemper, and continued her accustomed working of wondrous miracles. Often she resorted, as she pretended, tho' by way of trance only, to our Lady of Court of Street, who also ceased not to shew herself mighty in operation there, lighting candels without fire, moistening women's breasts

that before were drie and wanted milke, restoring all sorts of sick people to health, and even the dead to life, and finally doing all good to such as were vowed unto her at Courtop-street.' Such was the account given of her by Thwaits in the book beforementioned, who, it seems, was a bigotted votary and great admirer of this wonderful maid, who was now commonly called *the Holy Maid of Kent*. Thus Rooper speakes of her, "For her virtue and holiness of life," says he, "she was among the people" not a little esteemed, and to her for that cause many religious persons, doctors of divinity, and divers others of "good worship of the laity used to resort." The reputation she had gained, by the artifice and management of her confederates for her many visions and revelations, was yet increased by their being collected and put in writing. Thus not only Thwaits, but Laurence, at the instance and desire of Bocking her confessor and one of the managers of this imposture, wrote a great book of her false and fained miracles and revelations which was found ready for the press. These tales, it seems, were so long and so many in number, that, it's said, *twenty* sheets of paper would not be sufficient to contain them. So that Barton was in a fair way of being had in the same repute with these Holy Virgins or Nuns Hildegardis, Elisabeth, &c. referred to by the bishop, and of having her revelations as highly esteemed and revered. And indeed they were pretty much of the same importance. As her seeing the disputations of the devils for the *cardinal's soul. Her being three times[†] lifted up, and yet could not see the cardinal, neither in heaven, nor in hell, nor in purgatory: Her bringing him to heaven by her penance, and seeing such and such souls flie through purgatory. Her being warned by an angel to go to an abbat and tell him he should take three of his brethren by name, for that they

CHAP.
XXXII.

Life of
Sir Tho.
Moore,
MS.

Strype's
Memor.
Eccles.
Vol. I.
p. 177.

Wolsey.

[†] Thus is St. Catharine of Senne reported to be lifted up by angels, and assaulted by a troop of devils when at her devotions. D. Catharinæ Senensis Vita ac Miracula Selectiora. Antwerp: 1603.

CHAP. were purposed in the night to run away with three men's
XXXII. wives : Her showing to Dr. Bocking the hour of the old

- * Warham. Bishop of Canterbury's* death; her hearing the disputa-
tion between the angels and the devils for his soul ; Her
seeing him when he went into heaven, and hearing the
- * Becket. words which he spoke, and how St. Thomas* was there
present and accompanied him : How diverse the times the
devil appeared to her, and once in particular in the like-
ness of a good man, and with him a lady, with whom
before her face he had carnal conversation upon her bed :
How she took the blood out of our Lord's side into a cha-
lice : How Mary Magdalene sent her a golden letter, and
how by an angel she was bid to counterfeit another : with
a good deal more of such sort of stuff.

The noise which these things made was so great, as that, at length, the King himself heard of it. Some of her rhyming sayings uttered by her in her fits were carried to him : and, as she herself said, she shewed to him an apparition that she had seen of an angel, who bad her go to the King of England, that infidel prince, as she called him, and tell him, that he commanded him to amend his life, and to leave three things which he loved, and purposed to do ; viz. 1. that he take off the Pope's right and patrimony from him ; 2. that he destroy all these new folks of opinion, and the works of their new learning ; 3. that if he married and took Anne to wife, the vengeance of God should plague him. She made no fewer than *three* visits to the Bishop of Rochester, whose palace at Rochester lay directly in the way of her perambulations, and who had conceived a good opinion of her, at which no one will wonder who has ever read the several stories of the visions and revelations so seriously vouched by his Lordship in his answer to Oecolampadius, which I've before mentioned. She likewise imposed on Sir Thomas Moore, who saw her at Sion monastery, in one of her visits made to the brethren of that house, and afterwards wrote to her, giving her the titles of *Madam, My Lady*, and

Right dearly beloved Sister in our Lord God; tho' afterwards he was fully convinced of her being a cheat and impostor, and accordingly with indignation called her, that hussy, and the lewd nun of Canterbury, for so she was proved to be with a witness, and commended Mr. Secretary Cromwel for his bringing to light such detestable hypocrisy, &c. for now the scene was changed. The nun and her confederates had carried the jest too far, and presumed to meddle with the King himself and his great matter, and to censure and condemn his divorce from Q. Katharine and his intended marriage with Q. Anne. To this purpose the nun in her pretended fits prophesied, that if the King did proceed in the matter of his divorce, &c. he should not be a king a ^bmonth longer. This raised the King's jealousy, that by her means a rebellion was to be raised by the Queen's friends, and therefore he presently gave orders, that this affair should be very strictly enquired into, and the nun herself and her confederates particularly examined about it. For this purpose was the nun brought before a convention of the Lords in the Star-chamber, summoned thither for the purpose, where being very nicely and strictly examined, she at length confessed the whole intreague, who were her confederates, and by whom she had been encouraged and upheld. Among these last was the Bishop of Rochester and his chaplain, John Adeson, named, which occasioned to his lordship a great deal of trouble. By a piece of a letter yet remaining of Mr. Secretary Cromwel's, written to the Bishop in answer to one of his, it appears, that the Secretary had, on the Bishop's being thus named as one of those who abetted and encouraged the nun, sent his Lordship a message by his brother Robert Fisher, advising him to write unto the King, and recognize or acknowledge his offence, and beg his pardon, telling him how benign and merciful the King was, and that his grace would not deny him now in his age and sickness. This, it seems, was

CHAP.
XXXII.

Bp. Burnet's History of the Reformat. vol. 1. Coll. p. 123.

^b The Bishop said, she told him seven months.

CHAP.
XXXII.

what Sir Thomas Moore did; he submitted himself, and owned his fault in writing to the nun as he had done, and by that means avoided being put into the bill which was brought into the parliament for the attainder of the nun, &c. But the Bishop chose to take another course, and by letters to the Secretary to excuse and justify himself, as if he had done nothing amiss. He was accused not only of hearing and concealing, but of bribing the nun's false and feigned revelations, and of frequently sending to her his chaplain. In answer to this, the Bishop pleaded in his own behalf, that his intention was in communing with her and sending to her, to know or make trial whether or no her revelations were of God: and for this purpose he alleged several places of Scripture to prove, that he was bound thus to try them, and after trial to receive them. His lordship owned, that he had for many reasons a great opinion of the holiness of this woman. She was, for instance, called the holy maid of Kent, was actually entred into religion or become a nun; it was commonly reported, that her ghostly father, and several other virtuous priests, men of good learning and reputation, gave her the character of a woman of great holiness; the lord of Canterbury told him, that she had many and great visions: lastly, that he had learned of the prophet Amos, that *the*

Archbp.
Warham.

chap. iiii. 7. *Lord will do nothing, but he revealeth his secret unto his servants the prophets.* But to this apology the Secretary answered, that in all his letters to him, his Lordship did not shew, that he made any other trial of the truth of the nun's revelations than by putting to her idle questions, as *Whether there were three Mary Magdalens?* a question which my Lord, as has been shewn before, very zealously disputed many years ago with Faber, and which he seemed to suppose the nun was able to resolve, being so intimate with St. Mary Magdalene, as to hold a correspondence with her, and receive a letter from her: that if he had designed to find out the truth of her and her revelations, he would have taken another course with her, *vis.*

not have been led away by the vain noise of the people, but, like a wise, discreet, and circumspect prelate, would have examined, as others have done since, such serious and credible persons as were present at her trances and disfigurings, not one or two, but a good number, by whose evidence he would have proved whether the noises of her trances were true or not; he would have tried by what craft and persuasion she was made a religious woman; and would before now have spoken with her ghostly father, and those priests whom he represented as so virtuous and well-learned; he would also have been minded to see the book of her revelations which was offered to him, by which he might have had more trial of *her* and *them*, than by a hundred communications with her, or sending his chaplain to her. As for the late lord of Canterbury, the Secretary told the Bishop, he knew no more of the nun, or of her revelations, by her own report, than himself did, and as for the saying of the prophet, since the consummation and end of the Old Testament, and the passion of Christ, God hath done many great and notable things in the world, wherof he shewed nothing to his prophets that hath come to the knowledge of men. The Secretary therefore told his Lordship, that they were not these things that moved him to give this woman credit, but only the very matter, whereon she made her false prophecies, to which he was so zealously affected, *as he was noted to be in all matters into which he once entred*, that nothing could come amiss that made for that purpose. Accordingly he appealed to the Bishop's conscience, and desired him instantly to answer, whether if this woman had shewed him as many revelations for the confirmation of the King's marriage with Q. Anne, as she had done to the contrary, he would have given so much credit to her as he had done, and have let the trial of *her* and her revelations alone so many years, when he dwelt but 20 miles in the same shire from the place where her trances,

CHAP.
XXXII.

¹ Rochester is from Canterbury 27 miles, from Aldington about 23 miles.

CHAP. and disfigurings, and prophecys, were acted and given
XXXII. out? Think you, my Lord, added he, that any indifferent man, considering the quality of the matter, and your affections or temper, and also the careless passing over of such lawful trials as you might have had of the maiden and her revelations, is so dull that he cannot perceive and discern, that your conversation with the maid, and often sending to her, was rather to hear and report many of her revelations, than to try their truth or falshood? Next, the Bishop defended himself from the charge of being to blame for concealing those revelations which concerned the King. He assured the Secretary, that the nun had told him, that she herself had shewed these revelations to his grace, and that God's message to her was, that she should do so; but that she did not shew him, that any prince or temporal lord, should put the King in danger of his crown: that if he had declared these revelations to the King, and they were afterwards found false, he might have been blamed for mentioning them: that he had already been very ^kunkindly treated by the King, both with grievous words and terrible letters, for shewing him the truth in his great matter, and that this usage discouraged him from saying any thing to his grace of this maid's revelations. The Bishop concluded with desiring for the passion of Christ to be no more tormented about this matter, for if he was put to that strait, he would not lose his soul, but would speak as his conscience obliged him. To all which the Secretary answered, that the nun's revelations were bent and purposed to the destruction of the King, had been duly proved before as great an assembly and council of the lords of this realm, as has been seen many years to meet out of parliament: that neither her saying nor the saying of others discharged him from shewing to the King what seemed so nearly to concern him and his realm: that tho' she did not shew him the means wherby the danger should ensue to the King, and had told him that God had

^k The same he told the King himself in his letter to him on this occasion.

directed her to tell the King himself of it, yet was he nevertheless bounden to shew him of his danger: that no blame could have been charged on him if he had discovered these revelations of the nun's to his grace, tho' they had afterwards proved false: that he believed and knew the King's goodness and natural gentleness so well, that he would never have so unkindly treated his Lordship as his unkindly writings had treated him, unless he gave him other causes than are expressed in his letters. On the whole, he told the Bishop, that though he perhaps thought it not necessary, that these revelations should be shewed by him to the King, yet that *his* thinking should not be his tryal, but the law must define whether he ought to have uttered it or not: that if his Lordship had taken the advice he had sent to him by his brother, and followed the same, submitting himself by his letters to the King's grace for his offences in this behalf, he would have assured him he should never have been troubled any more about this matter; but that now since he had taken upon him to defend himself as if he was in no fault, he could not so far promise him: that if the matter came to a trial, his Lordship's own confession in this letter, besides the witnesses which were against him, would be sufficient to condemn him. He therefore repeats his advice to him to write a letter of submission to the King. Lastly, as to what the Bishop said of his conscience and by way of threat, the Secretary told him, that it was thought he had written and said as much as he could, and many things, as some very probably believed, against his conscience: that it was reported, that at the last convocation he spake many things which he could not well defend, and therefore it was not greatly feared what he could say or write in that matter more. This letter could not be very agreeable to the Bishop. It seems therefore, as if in answer to it, he wrote the letter which I've put in the collection, and No. 26. which is dated at Rochester, Jan. 31. In this letter he desired to be no more urged to answer Cromwel's letters,

CHAP.
XXXII.

because he saw his answers must run out into a great length, or else not give content, and that every thing that he wrote was ascribed either to craft or wilfulness, or to partiality and prejudice against the King: so that his writing, instead of gaining his favour, which he most passionately desired, only provoked his displeasure. Inso-much that he observed nothing in all his long letters that he could take any comfort in, but only the subscription wherein it pleased Cromwel to call himself the Bishop's friend. In two points of his writing, the Bishop said, he thought the Secretary was most offended, and they both concerned the King. One was, where he excused himself on account of the displeasure which the King shewed when he spake to him once or twice of the like matters. The other was, where he touched the King's great matter, *viz.* his divorce. As to the *first*, the Bishop said, he thought it very hard, that he might not signifie to the Secretary such things secretly as were most effectual for his excuse; and as to the *second*, his study and purpose was, to decline that he should not be obliged to offend his Majestie in that behalf, since he must needs declare his conscience, which, as he wrote to the Secretary, he should be loath to do any more largely than he had done. Not that he condemned any other men's conscience; *their* conscience, he said, might save *them*, and *his* must save *him*. Wherefore he besought the Secretary for the love of God to be contented with this answer of his, and to give credence unto his brother in such things as he had to say to him.

A.D. 1533. 4. The 15th of January, 153 $\frac{1}{2}$, the parliament met. Before it was brought this affair of the nun or holy maid of Kent. The Bishop seems to have been particularly summoned to make his appearance in it, and to answer to the charge intended to be brought against him concerning this matter. But his Lordship being still very weak wrote to Mr. Secretary Cromwell, to desire he might be excused from attending till he was recovered to a better

Col.
No. 17.

state of health. To this, it seems, he had an answer that encouraged him to hope for the King's granting him that favour : on which his Lordship wrote to the Lords themselves, to desire them to excuse his absence at this time. In this letter he expressed himself to their Lordships in much the same terms as he had used before in his letter to the Secretary. He begins with assuring their Lordships, that by necessity he was driven to make this suit of his to them in writing, because he might not, by reason of his weakness and ill state of health, be at this time present himself before them without great hazard of his life ; but that if he could himself have been present, he doubted not but his great weakness and many infirmities would move them to have pity on his case, wherby he was now brought into trouble. He proceeded to tell their Lordships, that he was informed of a bill brought into their House against him and others, concerning the matter of the nun of Canterbury, which was no small concern to him, especially in the languishing condition which he was in. Nevertheless, he said, he trusted in their wisdoms and consciences, that they would not in this high court suffer any act to pass against him till his cause was well and duly heard. He then told the reasons he had to repute this nun right honest, religious, very good, and virtuous, the very same which he mentioned in his letter to the Secretary ; and concluded, that their wisdoms, he doubted not, saw plainly, that in him there was no fault to believe this woman to be honest, religious, and of good credit. But it would be said, he observed, that the nun had told him such things as were dangerous to the King and kingdom. Her words, he said, he was very sorry to repeat, only necessity compelled him so to do ; they were these : that she had her revelation from God ; that if the King went *forth with the purpose that he intended, he should • forwards. not be King of England seven months after. This revelation, he said, she assured him, she had been with the

CHAP.
XXXII.Coll.
No. 18.

CHAP.
XXXII.

King and shewed to him. Tho', added he, this was forg'd by her or any other, what fault was there in me who knew nothing of this forgery? But here, he said, it would be replied, that he should have shewed the words unto the King. This he owned his duty had been so to have done, if he had not undoubtedly thought that she had done it herself. But she affirmed unto him, that she had told the same unto the King, which was confirmed to him by her prioress and their servants reporting to his servants, that she had been with the King. Besides, he said, several other causes dissuaded him from telling the King of it, which were not then openly to be rehearsed, tho' he doubted not when they should be heard, they would altogether clearly excuse him as touching this matter. His suit therefore unto all of them at this time, he said, was, that no act of condemnation concerning this matter be suffered to pass against him in that high court before he was heard himself, or some other for him, how he could declare himself innocent therein. His Lordship added, that he humbly besought them, if there should be thought any negligence in him for not discovering this matter to the King, they for the punishment thereof which is now past would ordain no new law, but let him stand unto the laws already made, and minister *them* to him with favour and equity, and not with the strictest rigor. This he pressed on them in a very pathetic manner. He advised them to look up to God, and on their own souls in ordaining such new laws, and to remember the danger which they themselves might be in the like case; since there sat not one lord in their House, but the same or the like might chance to him, that was now imputed to himself. And therefore he instantly besought all their benigne charities to tender this his most humble suit as they would be tendered themselves, if they were in the same danger, and that for the reverence of Christ, for the discharge of their own souls, for the honour of their House, and the security

of themselves and of those who succeed them. His Lordship concluded with giving them his blessing, that CHAP.
XXXII. thus the Lord have them all in his protection.

5. The Bishop wrote likewise to the King, tho' not in the way of submission, as the Secretary had advised him, but to justifie himself and plead his innocence. He desired his Majestie kindly to heare this his most humble suit, and to pardon him that he did not himself wait on his Majesty to present it; since before Advent he had been in so ill a state of health, that he was so weak that without great hazard of his life he dared not to take such a journey. And thus he wrote to Mr. Cromwel, his Majestie's most trustie counsellor, beseeching him to obtain his Grace's gracious license for him to be absent from this parliament, and that he put him in comfort so to do. He added, that in his Grace's most high Court of Parliament a bill was put in against him concerning the nun of Canterbury, and designing his condemnation for not revealing such words as she had spoken unto him concerning his highness, wherein he most humbly besought his Grace, that without displeasure he might shew unto him the consideration that moved him so to do, which when his most excellent wisdom had deeplie considered, he assuredlie trusted, that his charitable goodness would not impute any blame to him on that account. 'Twas true, he said, that this nun was with him *three* times as she passed thro' Rochester. The first time she came to his house unsent for by him, and then tolde him, that she had been with his ¹ Grace, and

¹ This, it seems, passed for current. Thus Rooper speaks of it; who affirming that she had revelations from God to give the King warning of his wicked life, &c. she went to the King, and told him all her revelations. But then, he says, that she was advised so to do by the Bishop. The nun understanding the lord of Rochester to be a man of notable vertuous living and learninge repaired to Rochester, and there declared unto him all her revelations, desiring his counsel therein: which the Bishop perceaving might well stand with the laws of God and his holie Church, he advised her, as she had before warning and intended, to go to the King herself, and let him know and understand the whole circumstance therof. *Life of Sir Thomas Moore, MS.*

CHAP. had shewn unto him a revelation which she had from
XXXII. Almighty God, that if his Grace went forth with the purpose that he intended, he should not be King of England seven months after. His Lordship solemnly protested, that he conceived not, that by these words any malice was intended unto his highness by any mortal man, but only that they were the threats of God as she did then affirme. And though these words were feigned, *that* he protested to the King was, as he would be saved, unknown to him. He never counselled her to that feigning, nor was he privie therunto: neverthelesse, if she had told him this revelation, and had not also assured him, that she had reported the same unto his Grace, he had been really much to blame, and worthy extreme punishment for not disclosing it to his highness or to some of his counsel. But since she did affirme unto him, that she had plainly told the same thing unto his Grace, he verily thought his Grace would suspect, that he had come to renew her storie again to him, rather for the confirming his owne opinion of the divorce, than for any other cause; for that he still remembered, to his no little heaviness, his Grace's grievous letters, and after that the most fearful words that his Grace had spoken unto him for shewing him his mind and opinion in that matter, tho' his highnesse had so often, and so straitly commanded him to search for the same before; and therefore he was very loth to come again to his Grace with such a story relating to that matter. Many other considerations he had, he said; but this he assured the King was the true cause why he came not to his Grace, he dreaded lest he should therby have provoked his Grace to further displeasure against him. The Bishop added, that the late lord of Canterbury, who was his great counsellor, told him, that Barton had been with his Grace, and had shewed him this same matter, and, that of the archbishop, as he will answer before God, he learned greater things of the nun's visions, &c. than she ever told him herself; and, that at the same time he shewed to the archbishop, that

she had been with him, and told him as he had written before. His Lordship therefore sayd, that he now trusted, that his excellent wisdome and learning saw, that there was in him no fault for not revealing the nun's words to his Grace, when she herself did affirm to him, that she had done it herself; and, that the lord of Canterbury that then was, did also confirm the same. The conclusion of this letter is very moving and affecting. Thus did the Bishop address his sovereign: Wherfore, most gracious sovereigne Lord, in my most humble wise I beseeche your highnesse to dismiss me of this trouble, wherby I shall the more quietly serve God, and the more effectually pray for your Grace. This, if there were a right great offence in me, should be to your merit to pardon; but much rather, taking the case as it is, I trust verily you will so doe, now my body is much weakned with many diseases and infirmities, and my soule much disquieted by this trouble, so that my heart is more withdrawn from God, and from the devotion of prayer than I would, and that I verily think my life may not long continue. Wherfore instantly I beseeche your most gracious highness that by your charitable goodnesse I may be delivered of this businesse, and left only to prepare my soule to God, and make it ready against the coming of death, and no more to come abroad in the world. This, most gracious sovereigne Lord, I beseech your highness by all the singular and excellent endowments of your most noble bodie and soule, and for the love of Christ Jesu, that so dearly with his most precious blood redeemed your soul and mine. And during my life I shall not cease, as I am bounden, and yet now the more entirely, to make my praier to God for the preservation of your most roial Majestie.

CHAP.
XXXII.

6. In this manner did the Bishop try to divert the danger which he saw threatned him on this occasion; but all to no purpose. For notwithstanding these excuses and justifications of himself, and insisting so much on his own innocency, 'twas plain by his own confession, that in his

CHAP.
XXXII.

conversation with the nun she had told him of her revelations, as she called her inventions, concerning the King, and that he had never discovered them to his Majesty. Now this pretended revelation being a prediction of the dethroning the King was treason, and consequently the concealing it was misprision of treason, the punishment of which was the offender's forfeiting to the crown his goods and chattels, and to be imprisoned during the King's pleasure. Accordingly, by the Act passed this session of parliament for attainting the nun, &c. of high treason was the Bishop, together with his chaplain Adeson, whom he had sent, I suppose, on his messages to the Nun, attainted of misprision or concealment of treason. But the King, it seems, willing to try what he could do with the Bishop by fair and gentle means, was pleased, it's said, to mitigate the rigor of the law, and to pardon his lordship on his paying a fine of ^m300 pounds, which favour was obtained for him by the mediation and intercession of the New Queen.

Hist. Reform. vol. i. p. 154.
Bailey's Life of Bp. Fisher.

Works, p. 284. col. 2. 285. col. 1.
Answer to Sir Thos. More's Dialogue, &c. written 1530.

7. As the success of one bubble often produces another, so it seems as if the Holy Maid of Kent gave occasion to another at Ipswich, tho' not with the same success: for they who believed the Nun of Canterbury inspired with the Holy Ghost condemned the other as possessed with the Devil. But Mr. Tyndal observed, that the tragedies were so like the one to the other in all points that one could not know the Holy Ghost to be in the one and the devil in the other by any difference of works, but might with as good reason say, that the devil was in both, or the Holy Ghost in both, or the devil in the Maid of Kent, and the Holy Ghost in the Mayde of Ipswich. For they were both in like trances, both ravished from themselves, both tormented alike, both disfigured, like terrible, ugly and grisly in sight, their mouths being drawn

^m Wharton says 3000*l. datâ Regi ter mille librarum summa*, and that this was then reckoned one whole year's profits of the bishopric; but this must be a mistake. *Anglia Sacra*, vol. i. p. 382.

aside even unto the very ears of them; both were inspired, both preached, both told of wonders, would be both carried unto our Lady, and were both certified by revelation, that our Lady in those places and before those images should deliver them. Now as for the Maid of Ipswich she was possessed of the devil by their own confession: Whence then came that revelation that she should be holpe, and all her holy preaching? If of the devil, then was the miracle and all of the devil. If of the Holy Ghost, then was she inspired with the Holy Ghost, and had the devil within her both at once. And inasmuch as the Maide of Kent was inspired by the Holy Ghost by their confession, whence came that stopping of her throate, that raving, those grievous pangs, that tormenting, disfiguring, drawing of her mouth awry, and that fearful and terrible countenance? If of the Holy Ghost, why then are not the revels and gambolds of the Maid of Ipswich thence also? and then what matter maketh it, whether a man have the devil or the Holy Ghost in him? If ye say of the devil, then had she likewise the devil and the Holy Ghost both at once. Moreover, the possessed, which Christ helped, avoided Christ, and fled from him, so that others who believed were faine to bring them unto him against their wills. For which causes and many more that might be alleged, one may conclude, that the devil vexed them and preached in them, to confirme fained confession, and dumb ceremonies and sacraments without signification, and damnable sects, and shewed them those revelations, and as soon as they were brought before our Ladie's image, departed out of them, to delude us, and to turn our faiths from Christ unto an old blocke. As we read in the Legend of St. Bartholomew how the devils hurt men in their limbs, and as soon as they were brought into a certain temple before an idol there they departed out of them, and so beguiled the people making them believe, that the idol had healed them of some natural diseases. Howbeit, let it be the Holy Ghost that was in

CHAP.
XXXII.

the Maid of Kent, then I pray what thing worthy of so great praise hath our Lady done? Our Lady hath delivered her of the Holy Ghost, and emptied her of much high learning, which, as a goodly poetesse, she uttered in rhimes. For appose her now of Christ as Scripture testi-fieth of him, and we shall find her cleane without rhyme or reason. The maide was at home also in heavenly pleasures, and our Lady hath delivered her out of the joies of Orestes, and brought her into the miseries of middle earth againe.' Thus Tyndal.

Dyalogue,
Lib. I.
chap. 16.

8. This maid of Ipswich was, it seems, a daughter of Sir Roger Wentworth, Knt., of whom Sir Tho. Moore tells the following story: that being a fair young gentlewoman of twelve years of age, she was in a marvellous manner vexed and tormented by our ghostly enemy the devil, her mind alienated and raving with despising and blasphemy of God and hatred of all hallowed things, with knowledge and perceiving of the hallowed from the unhallowed, altho' she was nothing warned therof: and afterwards moved in her own mind and admonished by the will of God to go to our Lady of Ipswiche. In the way of which pilgrimage she prophesied and told many things done at the same time in other places which were proved true, and many things said lying in her traunce of such wisdom and learning that right knowing men highly marvelled to hear of so young an unlearned maiden, when her selfe wist not what she said, such things uttered and spoken as well learned men might have missed with a long study. At length being brought and laid before the image of our blessed Lady, she was there in the sight of many worshipful people so grievously tormented, and in face, eyes, looke and countenance so grisly changed with her mouth drawn aside, and her eyes laid out upon her cheeks that it was a terrible sight to behold. But after many marvellous things at the same time shewed upon divers persons by the devil, thro' God's sufferance, as well all the rest as the maiden herself in the presence of all the

company were restored to their good state perfectly cured and sodenly. With which miracle the Virgin was so moved in her minde, that she forthwith, for ought her father could do, forsoke the world, and professed religion in a very good and godly companie at the Minoresse.' Were ever two stories now more alike than this and the storie of the Maid of Kent? Sir Thomas and Tyndal are both agreed as to the latter of them, that the Maid's trouble was supernatural and occasioned by the devil, however they might differ in their opinions about the other. But, as I before intimated, by the account given by physicians of that species of the hysterical passion which they call the suffocation of the matrix, and the same symptoms appearing in these fancied dæmoniacs, it seems as if there was no occasion to have recourse to any supernatural causes of these effects. It produces, say they, dreadful convulsions resembling the falling sickness, the belly and entrails swelling upwards towards the throat, accompanied with such violent struglings, that even women of a very moderate degree of strength can hardly be mastered by the utmost endeavours of the bystanders; the patient in the mean time shrieking, and bellowing and beating her breasts. Tho' the instance of the Nun of Canterbury, as well as others of a like nature of the Boy of Aldenburgh, &c. sufficiently prove, that all which is sometimes said and done by persons subject to these fits, is not to be ascribed wholly to nature, but partly to *that*, and partly to art and imposture.

CHAP.
XXXII.

Dr. Syden-
ham's
Tracts.

Casaubon
of Enthu-
siasm,
p. 70,
Wierus de
præstigiis
Dæmo-
num,
p. 404.

9. In the same session passed an act concerning the submission of the clergy to the King's Majestie, wherin it was recited, that the clergy had acknowledged, that their convocation alwaies have been and ought to be assembled by the King's writ, and had also submitted themselves to his Majestie and promised *in verbo sacerdotij*, that they would never from thenceforth presume to attempt, enact or execute any new canons, and had besought the King,

A.D. 1533.

CHAP.
XXXII.

that the constitutions and canons provincial which had formerly been enacted, might be committed to the examination and judgment of His Highness, and of two and thirtie persons of his subjects wherof sixteen to be of the two houses of parlement of the temporalitie, and the other sixteen of the clergy; that so such of them as should be thought and judged worthy to be abrogated, as being thought not only prejudicial to the King's prerogative, and contrary to law, but also over much burdensome to the King and his subjects, might be abolished accordinglie. Accordinglie was the King empowered, because there was too little time to examine these constitutions at the session of that present parlement, to nominate and assigne at his pleasure two and thirtie persons, and if any of them died to nominate others in their room from time to time. It was likewise added, that after Easter 1534, no manner of appeals should be had or made out of the realme, &c. to the bishop or see of Rome in any causes happening to be in contention, and having their commencement in any of the courts within this realme, &c. but that all manner of appeals should be made after such manner as is limited by the statute mentioned before. And that on pain of incurring a *premunire*. Only that all manner of appeals from the jurisdiction of any abbats, priors, &c. or places exempt which were wont to be made immediately to the Pope, might now be made immediately to the King's Majestie in the Court of Chancery.

- A.D. 1533. 10. An act likewise passed for restraining the payment of *Annates* or *First Fruits* to the Bishop of Rome, and of electing and consecrating of archbishops and bishops within this realme. In this reference is had to the act already mentioned as passed *two* years before this, the contents of which are recited. But it's observed, that in the former act it is not plainly expressed in what manner archbishops and bishops should be elected, presented, invested and consecrated within this realm, and therefore it

p. 86.

was now enacted, that at every avoidance of any archbishoprick, &c. the king might grant to the prior and convent or the deane and chapter of the cathedral churches or monasteries, &c. a licence under the great seal, as of old time has been accustomed, to proceed to election of an archbishop, &c. with a letter missive containing the name of the person which they shall choose : That by vertue of such licence the dean and chapter, &c. shall within twelve days choose the person nominated to them, and certifie their election under their common seal to the king, and the person so elected and certified shall be reputed and taken by the name of lord elected, &c. and make such oath and fealtie onelie to the king's majestie, his heirs and successors, as shall be appointed. Then the king by his letters patents under his great seal was to signifie the said election, if it was to the dignity of a bishop, to the archbishop and metropolitane of the province, or in case the see be void to anie other archbishop within this realme, commanding him to confirm the said election and to invest and consecrate the person so elected to the office and dignitie that he is elected to, &c. If the person be elected to the office and dignitie of an archbishop, then the king is to signifie the said election to one archbishop and two other bishops or else to foure bishops, &c. requiring and commanding them with all speed and celeritie to confirm the said election, &c. without suing, procuring, or obtaining any bulls, breefs or other things at the see of Rome.

CHAP.
XXXII.

As money is the sinews of power and authoritie, these laws against appeals to Rome, and the payment of Annates and other fees there, must needs affect the Pope very much. But it seems as if he might thank himself for the king and parlement's proceeding to this extremity. They had, as has been shewn, declared themselves as obedient, catholic and humble children of Holy Church as any Christians ; and expressed a great desire to live in friendship with the Pope and not to break with him; and

CHAP. for that reason would fain have had this matter com-
XXXII. pounded. But the papal pride and infallibility are by no means consistent with the least supposal of its being at any time in the wrong or mistaken. However, by these steps the King and his parlements proceeded at last A.D. 1536. utterly to extinguish the authority of the bishops of Rome, which they had so shamefully abused, in these kingdoms.

CHAP. XXXIII.

1. *It is enacted in parlement, that all of full age should swear to the succession as established on the King's marrying Queen Anne.* 2. *The Bishop of Rochester summoned to take this oath.* 3, 4, 5. *He refuses it.* 6. *Is sent prisoner to the Tower.* 7. *Archbp. Cranmer's advice concerning him and Sir Thomas More.*

1. SCARCE, if at all, was the Bishop delivered out of A.D. 1533. the trouble which he had faln into about the Nun, but another overtook him that proved more fatal to him. For the further strengthening and confirming the King's marriage with his new queen, it was thought proper by an act of parlement to adjudge the former marriage of the King with his elder brother's wife to be against the laws of Almighty God and utterly void, and on the other hand to declare the archbishop's separation of the same good and effectual, and, that the lawful matrimony had and solemnized between the King and Queen Anne should be established and taken for undoubtful for ever hereafter according to the archbishop's just sentence or judgment. Accordingly the same session of parliament in which the Nun of Canterbury was attainted, as has been already shewn at large, a bill was brought in to this purpose, and pass'd both houses, entituled, *An Act declaring the succession of the King's most roial majestie in the Imperial crowne of this Realme.* To make this yet more effectual, all the nobles of the realm both spiritual and temporal, and all other the King's subjects who were of full age, were from time to time, when it pleased the King to appoint, required to take a corporal oath, that they and every of them without fraud or guile, to their cunning, wit, and uttermost of their powers should truly, firmly and con-

^{25 Hen.}
VIII. cap.
22.

CHAP.
XXXIII.

Rooper's
Life of
Sir Tho.
More, MS.

stantly observe, fulfil, maintain, defend and keep the effects and contents contained in this act or any part thereof. Accordingly, at the close of this session of parliament, both Lords and Commons, as many as were then present, took such an oath, according to the directions in the act. And commissions were issued for the same purpose to all the counties of England. But there being no formal oath enacted by the statute, the legality of the oath now taken was called in question, and it was said, that the Lord Chancellor and Mr. Secretary had of their own heads added more words to it, to make it appear to the King's ear more pleasant and plausible, and that they could not justify by law their imprisoning those who refused to take it. By which some have thought they meant the insertion of a clause recognizing the King to

* Bishop Burnet intimates, that the oath was agreed on in the House of Lords, and that the form of it is thus set down in *their Journal*.

"Ye shall swear to bear faith, truth and obedience alone to the King's majesty, and to his heirs of his body of his most dear and entirely beloved lawful wife, Queen Anne, begotten and to be begotten. And further, to the heirs of our said Sover. Lord according to the limitation in y^e statute made for surety of his succession in the Crown of y^e Realm mentioned and contained, and not to any other within y^e Realm, nor foreign authority or potentate. And in case any oath be made, or hath been made by you to any person or persons, y^t then ye to repnte y^e same as vain and annihilate. And y^t to your cunning, wit and uttermost of your power, without guile, fraud or oy^r undue means, ye shall observe, keep, maintain and defend the said Act of Succession, and all y^e whole effects and contents thereof, and all other Acts and Statutes made in confirmation, or for execution of y^e same, or of any thing therein contained. And y^e ye shall do against all manner of persons of what Estate, Dignity, Degree or Condition soever they be; and in no wise to do or attempt nor to your power suffer to be done or attempted, directly or indirectly, any thing or things, privily or apertly to y^e let, hindrance, damage or derogation thereof, or of any part of y^e same, by any manner of means, or for any manner of pretence. So help you God, and all Saints, and y^e holy Evangelists. *Hist. of Refor.* Vol. I. p. 146.

* Les Commissaires n'oublièrent pas d'insérer dans se Serment, qu'on reconnoissoit le Roi pour Chef Suprême de l'Eglise Anglicane. *Le Clerc Bibliothèque Anc. & Mod.* tom. XVI. See Rymers's *Fœdera*, Vol. XIV. p. 487, April 17, 1534. but there's no proof of this. The instrument here referred to is a record of

be Supreme Head of the Church of England. At the beginning of the next session of parliament therefore, was passed an act ratifying the oath that everie of the King's subjects had taken, and should hereafter be bound to take, for due observation of the act made for the suretie of the succession of the King's Highnesse in the Crowne of the Realme. In this act was the form of the oath which had been or however which was to be tendred and taken, inserted at large, and it was declared, that *at the day of the prorogation of the last session the Lords and Commons did all most lovingly accept and take this oath, and, that they meant and intended at that time, that every other of the King's subjects should be bound to accept and take the same upon the pains contained in the said act, the same pains which were to be taken and accepted for offenders in misprision of high treason, and to suffer such pains and imprisonment, losses and forfeitures in like manner and forme as is mentioned in the said act for misprision of treasons.* This Rooper reports after the following manner: that, "at length, the Lord Chancellor and Mr. Secretary espieinge their own oversight in this behalf, were faine afterward to find the means, that another statute should be made for the confirmation of the oath so amplified with their additions." If this was so it seems pretty plain, that these additions of theirs relating to the King's supremacy, were what was so much scrupled by the Bishop, and not the swearing to maintain, &c. the *effects* and *contents* contained and specified in the act of succession.

CHAP.
XXXIII.26 Hen.
VIII. c. 2.Life of
Sir Tho.
More, MS.

2. But before this, the King, according to the powers granted to him by this act, commissioned Cranmer, Archbishop of Canterbury, the Lord Chancellor Audley, Secretary Cromwell, the Abbat of Westminster, and others, to tender this oath, who sat for that purpose at the arch-

this year wherein some of the religious orders declare their confirmation of the King's supremacy.

CHAP.
XXXIII.Life of Bp.
Fisher, c.
19.

bishop's palace at Lamhith. Among those who were summoned to make their appearance here to take this oath, was the Bishop of Rochester who, by reason of his ill health being absent from parliament the last session, had not taken it with the other lords. And now, says Baily, was the thing come to pass which was nothing terrible to *him* because it had long been foreseen by him and expected. Wherefore immediately on his receiving the commissioner's letter wherby he was peremptorily summoned to make his personal appearance before them at Lamhith on the day there mentioned, all excuses set apart, he first made his will, and left several legacies to divers persons and uses, as to Michael House in Cambridge, where he had his education; to St. John's College; to the poore; to some of his friends; and to all his servants, some of whom he left weeping behind him at Rochester, whilst the rest followed him to Lamhith lamenting his condition. Passing through the city of Rochester, there were a great multitude of people gathered together to take their leaves of his lordship, both citizens and countrymen, to whom he gave his blessing riding by them all the while bareheaded. Some of the people cried, that they should never see him any more; others denounced woes unto them who were the occasions of his troubles; others exclaimed against the wickednesses of the times, and all of them lamented and bewailed the danger they were in of losing him. When his lordship came to the top of Shooter's Hill, there he alighted to rest himself, and ordered such victuals to be brought before him as he had caused to be provided for that purpose; saying, he would now make use of his time, and dine in the open aire while he might. After he had dined he cheerfully took his horse againe and came to Lamhith that night.

April 13th,
1534.

3. The day of his appearance being come, his lordship went to Lamhith House, the archbishop's palace, to attend the commissioners. There he met his old friend Sir Thos. More, who was summoned thither on the same ac-

count. Sir Thomas, glad to see the Bishop, thus saluted him, *Well met, my Lord, I hope we shall meet in heaven.* CHAP. XXXIII.
 To which the Bishop replied; *This should be the way, Sir Thomas, for it is a very straight one.* On his appearing Letter to Mr. Secret. Cromwell.
 before the commissioners and their tendring to him the oath, his lordship told them, that he was content to be sworn to that part of it which concern'd the succession, for which he gave the commissioners this reason, which he seems to have had from Sir Thomas More, and which his lordship told them had convinced him, That he doubted not but the prince of any realm, with the assent of his nobles and commons, might appoint for his succession royal such an order as seemed most agreeable to his wisdom. But as to the other parts of the oath, he said, he could not swear to *them* because his conscience would not suffer him so to do. The commissioners press'd his lordship to tell them what his scruples were, and what he had to except against those other parts of the oath, but this he absolutely refused to doe. Archbishop Cranmer guessed, that these must needs be either the diminution of the authoritie of the Bishop of Rome, or else the reprobation of the King's first pretended marriage. Letter to Secretary Cromwell.
 And indeed according to the oath, the person who took it was to swear to bear faith, &c. alonely to the King's majesty, and not to any foreign authority or potentate; and in the act an abhorrence was declared of the Pope's claim of the right of investitures, or the bishops of Rome presuming to invest whom they pleased to inherit in other princes kingdoms and dominions. This was what Rooper tells us the King, or rather the Bishop, had asserted in his late book against Luther, in which he had carried the Pope's authoritie very high, and when he was told of it by Sir Thomas More, answered, that he received from the see of Rome his crown imperial. This same the bishops and abbats

* Ejusdem Fischeri esse creditur *Assertio Septem Sacramentorum*, quæ nomine Regis Henrici octavi prodijt. *Bellarmin. de Scripto.* p. 309, 310.

CHAP.
XXXIII.

were understood to mean when they swore to "cause to be conserved the rights, honours, privileges and authorities of the Church of Rome, which in the oath they took to the Pope they swore to defend, &c." And therefore was it added in this oath, that in case any oath were made by them to any persons they should repute the same as vain and annihilate. Which, after all, was no more than what every bishop swore in the oath he took to the King when he did him homage and received the temporalities of him; that he utterly renounced, &c. all such clauses, words, sentences or grants, that in any wise hath been, is or hereafter may be hurtful or prejudicial to the King, his heirs, successors, dignitie, privilege or estate royal. As to the King's former marriage, it was declared by this act, that the marriage heretofore solemnized between the King and the Lady Katharine, who was before the lawful wife of prince Arthur the King's elder brother, was against the Laws of Almighty God: that the Lady Katharine was by prince Arthur carnally known, and, that this duly appeared by sufficient proof: and, that the marriage of the King with Queen Anne was lawful, undoubtful, true, sincere, and perfect, and that the judgment of Cranmer concerning the King's divorce and marriage was just. These assertions were some of the *effects or contents* of this act to which they who took this oath were to swear *without fraud or undue mean, theyld observe, keep, maintain and defend*. Now nothing could be more opposite to the Bishop's sentiments and opinions of this divorce and marriage which he had so openly declared, and with so much zeal defended on several occasions both by word and writing. He must therefore have exposed himself as a man either of little conscience or great inconstancy, had he yielded to take this oath by which he must have been so plainly self-condemned. It was therefore very severe, and by no means to be defended, to oblige the Bishop to swear to the maintaining of such points, and that under so great penalties, as he verily believed in his conscience to be

false, or however doubted whether or no they were true: Tho' whoever remembers what has been said before of his Lordship's defending the lawfulness of the use of wholesome severities or devout rigors, as force and violence were called, in matters of conscience, or of the punishing those with death who were condemned of what was called or adjudged heresie, must acknowledge, that this was but meeting to him, that measure which he was for meting to others: and that therefore with Adonibezek his lordship might thus reflect on himself; *As I have done, so God hath requited me.* CHAP.
XXXIII.

4. By the way, it appears by the record, that when this affair of the King's divorce was brought before the convocation the Bishop of Rochester was not the only Bishop who voted against the unlawfulness of the King's marriage. George de Attica, S. T. P. Bishop of Landaff, was both present and voted as the Bishop of Rochester. So did John Clerk, LL.D. Bishop of Bath and Wells, who likewise appeared in person and voted with our Bishop, and had, as well as the Bishop, wrote in defence of the King's marriage with his brother's widow. But neither of *them* do I find summoned to appear before the commissioners to take this oath. The former of these was a Godwin de Spaniard and came with Queen Katharine into England, Presulibus, &c. was her chaplain, and by her interest promoted to this bishopric. It's therefore not unlikely, that to avoid the storm which he saw coming he might retire into his own country, since we have no account of his dying here. As for Clerk he took the oath with the other spiritual lords who were present in parliament, and was afterwards employed by the King as his ambassador to the Duke of Cleves to give him the King's reasons for his repudiating his sister, for which ungrateful message, it's said, he was rewarded by being poisoned in Germany, from whence returning with great difficulty, he died in February 1540.

5. On the Bishop's thus excepting to the oath, and scrupling to take it in those very terms in which it was Bailey's
Life of Bp.
Fisher.

CHAP.
XXXIII.

conceived, his lordship desired some further time to consider of it, upon which the commissioners allowed him *five* days, and to go to his own house till then. During this time, Rooper tells us, the King advised with his counsel what was best to be done with him. Several of the Bishop's friends, likewise, it's said, took this opportunity to visit him and take their leaves of him. Among these were ^dMr. Seton and Mr. Bransby, substitutes of the Masters and Fellows of the two Colleges of Christ's and St. John's, to which the Bishop had shewn himself so much a friend. Their commission was to make their compliments to his lordship in the name of the two societies, and to desire his confirmation of their statutes, which he had drawn long before, by putting his seal to them. But before he would do that, Bailey tells us, the Bishop desired to have some time to consider of them as he intended, and that on this the two gentlemen replied, Alas ! we fear your Lordship's time is now too short to read them before you go to prison. The Bishop said, it was no matter, he would then read them in prison; and on their answering, that he would hardly be allowed to do it there, his lordship returned, Then God's will be done, for I shall hardly be drawn to put my seal to that which I have not well considered. Howsoever, if the worst should happen there is Mr. ^eCowper who hath a copy of the same statutes which I have; if I do not, or cannot, according to my desire, peruse them, I will give it you under my seal, that if you like them, *that* shall be unto you a confirmation. For I am persuaded that one time or other those statutes will take place. By the statutes here mentioned seem to be meant those of the College of which there is now remaining an original under the Bishop's seal. So that I suppose they were afterwards thus confirmed by the Bishop in the Tower. However, to shew that the Bishop was gifted with the spirit

^d He and Bransby were both fellows of St. John's College.

^e He was fellow of St. John's College. There is an original of the Bishop's statutes under seal yet remaining.

of prophecy, it's added, that this Master Cowper, long after the imprisonment and death of the Bishop, and the change and alteration of the times, which Bailey says had made religion, lords and laws all new, committed this book of statutes to the custody of one Thomas Watson, who was A. D. 1553. afterwards Master of St. John's College, and Bishop of Lincoln, and that, as the Bishop foretold, he restored them to the house, who admitted them as their only lawes wherby they were wholly governed during the reign of Queen Mary. CHAP.
XXXIII.

6. The time being come which was set for the Bishop's attending on the commissioners again, he acquainted them, that he had perused the oath with as good deliberation as he could, but as they had framed it, he could not with a safe conscience subscribe thereto unless they would give him leave to alter it in some particulars, wherby his own conscience might be the better satisfied, the King pleased, and his actions rather justified and warranted by law. For, as was intimated before, the Bishop thought that the present form of the oath was not legal. To this the commissioners all made answer, that the King would not in any wise allow, that the oath should admit any exceptions or alterations whatsoever, and the archbishop said, he must answer directly whether he would or would not subscribe. To which the Bishop of Rochester replied, "If you will needs have me answer directly, my answer is, that forasmuch as my own conscience cannot be satisfied, I absolutely refuse the oath." Whereupon he was immediately sent to the Tower of London, which was upon Tuesday the 26th of April. This is the account given by Bailey. But if the first time of his lordship's appearance was, as has been said before, on April 13, and he had but *five* days allowed him to consider of the oath when he was to appear again before them, this *second* appearance of his must be on April 18, which is eight days short of the 26th, and consequently he was not immediately sent prisoner to the Tower. But Bailey adds, that it was the last day of

CHAP.
XXXIII.

the King's reign for that year. Now the day of the King's accession to the crown was April 22, and therefore the last day of the year April 21. By which, it seems, as if the commissioners yet further respited his Lordship, and did not on his absolute refusal of the oath forthwith send him to the tower.

April 17.
No. 20.

7. However this be, before the Bishop's second appearance before the commissioners, the wise and charitable archbishop wrote to Mr. Secretary Cromwell on his and Sir Thomas More's behalf. In this letter, which I have placed in the Collection, after having put the secretary in mind of what passed when his Lordship and Sir Thomas appeared before the commissioners, he tells him, that it seemed to him, that if he and Sir Thomas, who was of the same opinion with the Bishop in this matter, did obstinately persist in their sentiments of the preamble of the act, so as not to swear to *that*, it however should not be refused them, if they would be sworn to the very act of succession, provided they would be sworn to maintaine the same against all powers and potentates. For this, he said, would be a means to satisfie the Princesse Dowager and the Lady Mary, who thought at present, that they should damn their souls if they abandoned and relinquished their estates or degrees. It would likewise, he thought, put to silence the emperor and their other friends if they gave as much credence to the Bishop when he spoke and acted against them, as they had done when he went with them: and perhaps it would quiet and satisfie many others within this realme if such men as the Bishop and Sir Thomas should swear, that the succession comprised within the said act is good, and according to God's laws: for then, he believed, there would not be one within the kingdome that would once say anything against it. And wheras there were several who either would not or could not alter their opinions of the King's first pretended marriage, or of the authoritie of the Bishop of Rome, yet if all the realm with one accord would acknowledge the

succession, it was, in his judgment, a thing to be embraced: and that thereunto the oaths and consent of these two persons might not a little avail with their adherents. Lastly, the good archbishop observed to the secretaire, that if the King pleased, their oaths might be kept secret, and not made public but at what time and place it might be for his highnesses advantage so to do.' One would think, that this was politic as well as Christian advice, since that subjection which is yielded for conscience sake, must certainly be more universal, and better performed, than that which is only the effect of force, or of the fear of punishment. But now what reason have princes to expect their subjects should obey them on a principle of conscience, when they use them as if they had none, or were not at any time to act upon any principles of their own, but upon such as were prescribed to them by their governors? Accordingly, the reflection made on the historie of this time in which was shewn so much inconsistency of both principle and practice in the laws then passed, seems no way groundless; That the easiness of the Lords and Commons in passing these laws was owing either to their having no principles at all, or being perfectly indifferent about matters of religion or conscience.

CHAP.
XXXIII.

Clerici
cont. in-
differ. refi.
Liber. p.
363. ed.

8. By what Rooper tells us of Sir Thomas More, it seems as if this politic and Christian advice of the archbishop's was taken into consideration, tho' it was not so well approved of as to be followed. "In the beginning," says he, "they were resolved, that with an oath not to be
"acknowne whether he had to the *supremacie been
"sworne, or what he thought therof he should be dis-
"charged. But Queen Anne, by her importunate clamour so sore exasperated the King against him, that, contrary to his former resolution, he caused the said
"oath of the *supremacie to be administered unto him." However this be, it's certain the Bishop was sent to the tower, where he had not been long, when Lee, Bishop

1724.

Life of Sir
Tho. More,
MS.

* Succession.

* Succession.
April 21,
1534.

CHAP. elect, and 'confirmed of Litchfield and Coventry, so he
XXXIII. wrote himself, was sent by Mr. Secretary Cromwell to him
in the tower to make him a visit, and persuade him to take
the oath. But Lee, in his letter to the secretary, told him,
that "the Bishop continued as he left him; that he was
"very ready to take his oath for the succession, and to
"swear never to meddle more in disputation of the va-
"lidity or invalidity of the marriage of the King with the
"Lady dowager, but could go no further. To which Lee
"added, that yet the Bishop willed and did profess his
"allegiance to the King as long as he lived, but that truly
"he was nigh going, and doubtless could not continue, un-
"less the King and his council were merciful to him, he
"being already so wasted, that his body could not bear
"the cloths on his back."

¹ He was confirmed April 16, 1534, consecrated April 19, and had the
temporalities restored to him, May 6, so that it was some time betwixt April
19, and May 6, that he made this visit to the Bishop.

CHAP. XXXIV.

1. *The oath of succession ratified in parliament.* 2, 3. *The Bishop's goods seized.* 4. *He complains to the secretary of his poverty and distress.* 5. *The College of St. John's write the Bishop a Letter of Condolance.* 6. *Attempts made to persuade the Bishop to take the oath.* 7. *Interrogatories put to him; the Bishop's answers.*

1. ON November ^a3, the parliament again met by pro-
rogation, this being the sixth session of it, which was con-
tinued to the 18th of the next month. Here, as has been
already said, the oath, which had been tendred to the
Bishop, and taken by several of the King's subjects, and
to which it had been objected, that it was not according to
law, was ratified. The act observed, that it was conve-
nient for the sure maintenance of the act for the esta-
blishment of the succession, &c. that the said oath should
not onlie be authorized by authoritie of parliament, but
also be interpreted and expounded by the whole assent of
that present parliament, that it was meant and intended by
the King's majesty, the Lords and Commons of the par-
liament, that every subject should be bounden to take the
same oath which the Lords, &c. took at the daie of the
last prorogation, according to the tenor and effect therof
upon the pains and penalties contained in the said act.' It
was likewise enacted, that the commissioners appointed to
receive this oath or any two of them, should have power
to certifie into the King's Bench by writing under their
seales every refusal that should hereafter be made afore
them of the same oath, and that every such certificate
should be as available in the law as an indictment of twelve
men lawfully found of the said refusal. And thus, says

A. D. 1534.
Novem. 3.
Sexta Ses-
sio Parl.
Præd. Su-
per Pro-
rogat. apud
West. tent.
et con-
tinuat.
usque
18 Decem.
tunc prox.

Life of Bp.
Fisher,

^a Bailey says Novem. 23, and that the session lasted but 15 days, accord-
ing to which account it ended Decem. 8th. c. 19.

CHAP. Bailey, the Bishop of Rochester's imprisonment was voted
XXXIV. lawful, and all other men's imprisonments good and lawful
that should refuse to take the foresaid oath, which authority before was wanting.

Bailey's
Life of
Bp. Fisher,
c. 22.

2. The Bishop still continuing to refuse taking the oath, the commissioners, I presume, according to the directions of the act,^b certified his refusal into the King's Bench, where accordingly he was found guilty, and sentenced to suffer the penalties appointed by the act which were a forfeiture of his goods and being imprisoned during the King's pleasure. Upon which, it's said, the King commissioned Sir Richard Morison of his privy chamber, Gostwick and others, to go down to Rochester to seize what goods the Bishop had there for his use. These commissioners when they came to Rochester, according to the tenor of their commission, took possession of the Bishop's palace, turned out all the servants which he had left there to keep house in his absence, and seiz'd the goods for the King. His noble library of books, which the Bishop had collected with so much care and at so great an expence, insomuch that Bailey tells us it was thought the like was not to be found in the possession of any one private man in Christendome, was carried away in large fats, of which there were no fewer than 32, and many of the books embezzled and spoil'd. Not content with this, the commissioners, Bailey says, took out of a chest, on the inside of the cover of which was written in old English characters, *Let no man offer to lay hands on this, for it is the Church's Treasure*, the sum of 300 pounds which was given by one of the Bishop's predecessors to remaine as a depositum for ever to the said see

^b Bishop Burnet says, that by an act passed on purpose the Bishop and several clerks were attainted of misprision of treason, and the bishopric of Rochester was declared void from the 2nd of Jan. next.

^c This Sir Richard was a learned man, and three years after this wrote a Vindication of the King from the calumnies of Cochlaeus which he thus entitled *Ἀπομαχὴς calumniarum quibus Henrici VIII. famam impetere voluit Cochlaeus*. Lond. 1537. 4°.

* Apomozis.

of Rochester in the custody of the Bishop for the time being against any accident or occasion that might happen to the bishopric. To this the Bishop himself, it's said, had added another hundred pounds of his own which was in a bag, out of the mouth of which hung a label with this inscription; *Tu quoque fac simile*. But, says Bailly, the commissioners swept it all away. Among other things there stood in the Bishop's oratory, it seems, a wooden coffer strongly bound with iron hoops and doubly locked. Which standing thus in a place into which seldom came any one but the Bishop, it being his secret place of prayer and penance, and appearing so well secured, it was thought, that some great treasure had been there laid up. Therefore, that no indirect dealing might be used in a matter of so great consequence as this was thought to be, witnesses were solemnly called to be present at the opening of it. But when they had with much pains and difficulty broke the chest open, they found in it, instead of gold and silver, nothing but a shirt of hair and two or three whips wherewith the Bishop used to punish himself when he did penance. When this with the other proceedings of the commissioners was told to the Bishop in the tower, his lordship made answer, he was very sorry for their finding these things, but if hast had not made him forget them as well as many other things, they should not have been to be found there at that time.

3. Of this his library and his household goods and furniture, his lordship had for some time before the passing the act for securing the succession, &c. made and executed a deed of gift to the college of St. John's in Cambridge. But having inserted a clause in the deed wherby he reserved them to himself during his life, they were adjudged to be within the compass of the act, as being in his possession, and to be all forfeited to the King. The very same was the case of the Bishop's fellow sufferer Sir Tho. More. His son-in-law, Rooper, tells us, that after he resigned the chancellorship, he made a conveyance for the

CHAP.
XXXIV.

Bailly's
Life of
Bp. Fisher.

Life of Sir
Tho. More,
MS.

CHAP. disposing of all his lands, reserving to himself an estate
XXXIV. therof only for terme of life, which conveyance was perfectly finished long before the matter wherupon he was attainted was made an offence; and yet after by statute clearly avoided: and so were all his lands that he had by the said conveyance in such sort assured to his wife and children—taken from them and brought into the King's hands, saving that portion which he had appointed to Mr. Rooper and his wife,—he having by another conveyance given the same immediately to them in possession,—by which means it was without the compass of the act.

A. D. 1514. 4. The revenues of his bishopric being thus seiz'd into the King's hands, and all his goods, &c. taken from him, the aged bishop was reduced to great poverty and want. Of this we find him making his complaint to the secretary in a letter sent to him from the tower, and dated December 12, about seven months after he had been a prisoner there. His lordship begins with telling him, that whereas he had desired he would write to the King, he dreaded his not being so circumspect in his writing as not to let some word escape him wherewith his Grace should be moved to yet further displeasure against him, for which he should be very sorry: for as he would answer before God he would not offend his Grace in anything, his duty saved unto God, whom he must in every thing prefer: That for this reason he was very loath and full of fear to write to his Highnesse about this matter, but yet since he found that it was his desire that he should do so, he would endeavour to do the best he could. He then remembered the secretary of what he had offered to do, when he was last before the commissioners as has been before related. Next, his lordship added a request to the secretary to be helpful to him in his present want and necessity, telling him, that he had neither shirt nor suit, nor yet other cloaths fit for him to wear, they being not only ragged and shamefully torn, but also not sufficient to keep him warm. He likewise complained of his diet, that many times it was

Coll.
No. 17.

slender, and such as his age and stomach could not bear, so that he could not keep himself in health ; and that he had nothing left him to provide any better but as his brother furnished him with money to his own great hindrance. Wherefore he besought the secretary to have some pitie on him, and let him have such things as were necessary for one of his age, and especially for his health, and also to move the King to take him again to his favour, and restore him to his liberty out of that cold and painful imprisonment. Two other things the Bishop likewise desired, *viz.* that he might, by the appointment of the lieutenant of the tower, have some priest to hear his confession against the holy time of Christmas then approaching, and that he might borrow some books to stir his devotion the more effectually these holy-days for the comfort of his soul. By this it appears how hardly the aged Bishop was used in this his confinement, in that he not only wanted the necessary accommodations of life, but was not suffered to have even any books, not even of devotion, to employ and recreate himself. He likewise wrote to several others to represent to them his wants and begg their relief, who, as he himself owned on his examination concerning the letters wrote and received by him, all sent him money.

5. Whilst he thus continued in this hard and severe imprisonment, the ^dCollege of St. John's, to whom his lordship had been so generous a patron and benefactor, had the courage to send him a letter of condolance, in which they addressed themselves to him to the following purpose. "That amidst his great occupations about the flock committed to him by God, the high labours which he sustained in defence of Christ's religion, and his assiduous meditations in the Law of the Lord ; amidst his prayers, readings, and writings, and lastly his bitter and troublesome cares and afflictions which of late had overtaken him,

^d By the College Books it appears, that the Master, Dr. Nicholas Metcalfe, and some of the Fellows, perhaps Seton and Bransby mentioned before, waited on the Bishop in the Tower.

CHAP. he would vouchsafe to read his children's letter: which
XXXIV. indeed was written more because they were ashamed to be silent, than that they knew what was fit for them to say: that they judged it base and wicked in the present condition of affairs not to signify their affection for him, and declare their devout sollicitude on his behalf: that when all others who are either honoured with the Christian name, or do love their country lament at this time his troubles and distress, they should be very ungrateful, nay unable to maintain and support the reputation of piety, if they were not very much tormented with the adversity that befel him, and felt not in their minds the greatest grief: but that altho' they did indeed very much lament, that he had fallen into the perils of these times which the D. wrath had raised, grief had not wholly taken possession of their minds; so far from it, that even from thence they conceived great joy; so that after they heard of the afflictions with which he began to be tossed some time since, the different and direct contrary passions of sorrow and joy had divided their minds. For that it could not be when they heard of any thing adverse and perilous that happened to him, but that, being struck with the bitter tidings, they were affected with incredible grief: whilst on the other had, when they remembered and called to mind how great a mark it is of the Divine favour to suffer or endure tribulation in this world for righteousness sake, their minds were immediately transported with the utmost joy; because they from thence understood what was never at all doubted of by them, that he had rather pleased God than men: that this was the thing which they requested of God in their daily prayers for him, that he would have him for his own, that he would most plentifully confer on him his grace, and most copiously impart to him His holy spirit that he might not please men, whom if he did please it was to be feared he would not be the servant of Christ. But that he had no need of *their* comforting him under his afflictions, if they were capable of doing it, since his

falling into trouble for righteousness sake, who was so holy a bishop, and constantly trod in the steps of Christ and his apostles, must of itself produce a certain immense and unspeakable consolation, full of a secret divine pleasure, and from a conscience of his own sincerity: that whatever examples there are which might be brought for the confirmation and strengthening of his patience, no mortal either better knew or remembered them: so that it was superfluous, and really ridiculous for them to trouble him with their consolation, and like an infant, who can scarce speak, offering to direct his father how he should express himself: that their duty therefore was every day very ardently to be, as they were, instant in prayer to our Lord Jesus Christ, that he would keep him safe for his Church who was so enriched with all the riches of his grace; so that if any affliction, occasioned by either bodily weakness or outward worldly difficulties, was sent to him of God, Christ would turn it to him for good. For that they owned they were obliged to him for so many favours that they were not able to rehearse them all, or to express them in words. He was, they said, their father, their teacher, preceptor and legislator, and last of all their exemplar or original of virtue and holiness: to him they acknowledged they owed their food and learning, and whatsoever they either had or knew that was good for anything, but they had nothing they said, wherewith they might return the favour, or repay the kindness, besides their prayers wherewith they continually applied themselves to God in his behalf. However, they added, that whatever wealth they had in common, or what estate the College had, if they could spend it all in his cause, they should not yet equal his beneficence towards them: they therefore entreated him to use whatever was theirs as his own, since whatever they had was and should be his, nay that even themselves were wholly at his service. Since he was their glory, their defence and their head, so that of necessity whatsoever evils befall *him*, their bitterness

CHAP.
XXXIV. must be felt by *them* who were members in subjection to him. They concluded with expressing their hopes and good wishes, that the kind and most merciful God would ward off all evils from him, and of his goodness always encrease to him his blessings: but if any thing should intervene which in the judgment of this world seems hard and severe, that God would make it soft, pleasant and easy, and even honourable to him, as he has changed the odium and ignominie of the Cross into the highest glory and reputation. They concluded all with their prayer, that our Lord Jesus Christ would not leave him destitute of the comfort of his spirit for ever?" This was really a very convincing proof of the sense the College had of the Bishop's service that he had done them, and of their gratitude to him for it. But whether for fear of bringing the College into trouble by their assisting him in his present want and necessity, or for any other reason, it seems as if his Lordship made no use of this very generous offer of theirs, but chose rather to apply somewhere else for relief.

Baily.

6. On the other hand, the King it's said, was not wanting to do all he could to bring the Bishop to comply with his desires, and take the oath of succession. For this end his Majestie sent several times some of the Lords of his privy council to the Bishop to persuade him to take it. To whom, Baily says, he made the following reply. "My very good friends, and some of you my old acquaintance, I know you wish me no hurt, but a great deal of good, and I do believe that upon the terms you speak of I might have the King's favour as much as ever. Wherefore if you can answere me to one question, I will perform all your desires. What's that, my Lord? said they. It is this, said the Bishop, What will it profit a man to gain the whole world, and to lose his own soul?" Whereupon, after some little talk to no purpose, they all left him.

7. It seems as if, soon after this, or at the same time,

the Bishop had sent to him several interrogatories concerning his conduct and behaviour in this great matter of the King's, his divorce, to which he was required to give his answer in writing: which interrogatories were fourty in number; a copy of the Bishop's answer to them written in Latin with his own hand, which is hard to read, is in the Cotton Library, a transcript of which I've put in the Collection. By this answer of his Lordship's it seems as if he was asked what letters he had received from abroad concerning that matter? from whom they came? and what were the contents of them? and what he had written himself about it? and what communication he had relating to it with Queen Katharine? &c. The substance of the Bishop's answer is to this effect. He said it was so long since he received the letters, about which he was asked, that he had almost forgot every thing relating to them, and did not remember the name of the writer, but that he had never since received any letters or messenger from him, nor so much as heard one word of him: but that he had no reason to doubt, that he was one of the princes of Germany, as the messenger said he was: That he had never conversed privately with the Lady Catharine since his Majesty had commanded him to be her counsel: That it was very likely there was a messenger that went betwixt, and who was employed to carry a message to some one of the German princes, but what the message was, or to which of those princes it was sent, unless it was to Ferdinand who was now King of Hungary, he protested he did not know: That he was not sure how many letters he had written, but as far as he remembred he thought he had written seven or eight. For since the affair itself was of so great concern on account of the excellency of the persons who were interested in it, and the strict injunction given him by His Majesty, he had employed so much labour and diligence to find out the truth, that so he might not deceive himself and others, as he had never in his whole life before used in any other matter: That what

CHAP.
XXXIV.Coll.
No. 30.

THE LIFE OF

~~was~~ become of those letters he could not tell, having never ~~been~~ solicitous about them, only of the two last written by him, which seemed to him to contain in them the strength of all the former ones, the Lord of Canterbury had one of them. As for the books he was asked about, he said, he had never sent himself, or consented that any one else should send either them or copies of them beyond sea, nor that the transcriber of them or his servant had any of them so far as he knew; nay that he never so much as intended to send any of them abroad, and that it was neither by his advice nor persuasion or with his knowledge, that the little book was published, and that he was altogether ignorant who was the author of it, but, so far as he could guess by the stile and manner of writing, it was Cornelius Agrippa. As for Abel, the Bishop said, he never advised or consented that such a book should be set forth by him, but that he never had to his knowledge any book of his. Being asked concerning the messenger sent to him by the Lady Catharine he answered, that he was not in his house half an hour; that he knew nothing of his errand, more than that, perhaps, she desired it might be known to those princes to whom he was sent, that she had sworn she was never known by the illustrious prince Arthur: and that he was sure, that he never gave his advice or consent, that the writer mentioned to him should attempt any thing with the princes of Germany against the King's cause, and that the messenger was gone from him before he received those letters; that those letters were sent to him from the Lady Catharine, whose sworn counsellor he was by the King's command, and that, so far as he saw, they contained nothing in them besides what related to the declaration of the Virginity of the said Lady Catharine. As to the reason of her sending these letters to him, he said, he knew of no other than that she desired he should know she was not altogether neglected by the grandes of countries, but by whom they were brought to him he did not remember, since at that time she used to send

to him sometimes one and sometimes another, though both then and long before he had forbore to give her any advice unless in some things which pertained to her conscience, that he did not know who wrote the letters unless it was the hand of Dr. Adeson. That as to *George Day he never found fault with him or any one else either by letter or word of mouth, for favouring the King's cause; but he remembered that he said, when he heard that Day was of neither opinion, that he disliked him for currying favour with both sides, and that, perhaps, on account of his saying so, Day had so industriously purged himself by his letters: but that Day might judge of him as he pleased, since he was sure he desired nothing but, that truth might overcome, and that he had never blamed any one for defending the King's matter, nor persuaded any to patronize the cause of the Lady Catharine. As to the letter he wrote to the *Archbishop of Canterbury, he * Warham. said, he did not therefore write it to persuade him to alter his opinion, but only to get him to desist from soliciting him to affirm what was against his conscience, and because he had not vouchsafed by his letters to forewarn him of the business about which he had sent for him to appear before him, that so he might have been more prepared for making answer to those who were present. But when * A seat of the Archbishop's in Kent, now in possession of the Duke of Dorset. he came to *Knolle he prayed his Lordship not to suspect, that he would sin against the Holy Ghost, by either opposing a known truth or not admitting a truth if it might be demonstrated either by the writings of the Universities, or by any others. As to his correspondence with the Lady Catharine, the King, he said, very well knew, that she had, by his consent, sent for him more than once, on account of certain scruples which offended her conscience, and that long before this affair of the divorce was begun; and that for the satisfying those scruples, he not only used many words when he was present with her, but

* Bishop of Chichester 1543, and now Fellow of St. John's Coll. in Cambridge.

CHAP. afterwards wrote her several letters; but that he never
 XXXIV. heard from her either, that she despaired of mercy or that she had committed perjury: and that if he did write the words mentioned in the 31st Interrogatory, he therefore wrote them that he might banish all her scruples of conscience, and wholly establish her mind in the hope and trust of the promises of Christ. As to the book which he wrote against the opinions of the Universities concerning the King's marriage, the Bishop said, it was never sent to Paris; for that at the time when the Lady Catharine required it of him, it was scarce half of it written by him, as were none of the other things, mentioned in the interrogatorie, sent thither of his knowledge or assent: That many learned men, and they approved expositors of the Old Testament, have constantly followed this interpretation in their commentaries, *viz.* that the Levitical prohibition ought to be understood of the brother's being alive: but that altho' he mentioned a great many in his writings who maintained the said interpretation, he yet did not from them attempt to confirm his opinion in every thing, as was abundantly plain from what he had written.

8. By this we may see, that as there were great endeavours used to bring the Bishop to a compliance with the King in this his *great matter* on account of the great credit and reputation he was in for his learning and piety: so the Bishop was a person of great frankness and openness. In his several answers we observe the appearance however of the greatest integrity and plainness: there is not the least mark of any mental reservations, or dark and mysterious expressions, but all is open and above board, like a man conscious of his own integrity, and who did not affect to appear what he was not, or to disguise what he was. But all these attempts to bring the Bishop to take the oath of succession failed entirely of success. Upon

¹ What these words were we don't know for want of the Interrogatories themselves, on which account the other answers of the Bishop's are less clear than otherwise they would be.

which, I suppose, followed that rigorous execution of the act in seizing the temporalities of his bishopric, his goods, &c. of which I have before given an account: To which was added the condemning him to perpetual imprisonment. And this seems to have been all that was now designed against the Bishop, that he should thus end his days a prisoner. But on the jealousy raised and provocation given by the Pope's making him a Cardinal, a resolution seems to have been taken to put him to a publick death, that the Pope might see how little the King valued his honours, and how resolved he was, that none of *his* subjects should be at all the better for them.

CHAP.
XXXIV.

Rymer's
Fœdera.

9. Before I proceed any further in the Bishop's history, it mayn't, perhaps, be improper to observe, what complaints were made at this time of the great increase of the poor; that ^h*great multitudes of them ran thorowe every towne*. This, Sir Thomas More intimated, was occasioned in a great measure by the avarice of the abbats of the richer abbies laying down their arable lands to pasture in those parts of England where the wool was finer, and consequently of greater value. They left nothing for tillage but enclosed all for pasture, demolished houses, destroyed towns, leaving nothing but the church to fold their sheep in. So that, as Sir Thomas expressed it, their sheep, which were formerly so tame and fed with so little, were now become so voracious and savage as to devour men themselves, and to lay wast and depopulate fields, houses and towns. Accordingly the act of parliament, which was passed the last session for the remedying this publick evil, thus represents it. That divers covetous persons espying the great profit of sheepe, had gotten into theyr hands great portions of the grounds of this realme, converting

25 Hen.
VIII. c. 13

^s Nec desunt qui prædicant ob hoc ipsum accelleratam mortem quod Romanus Pontifex, Paulus tertius, Episcopum Roffensem ob insignem doctrinam ac pietatem in Cardinalium Ordinem elcgisset. *Epist. de morte D. Tho. Mori.*

^h Bp. Coverdale's Preface to the English Bible, 1535.

CHAP.
XXXIV.

them to pasture from tillage, and kept some 10,000, some 20,000, some 24,000 sheepe, wherby churches and towns were pulled down, rents of lands inhaused, and the prices of cattell and vittaile greatly raised, and the poore driven to fall to theft and other inconveniences, to the utter destruction and desolation of this realme. Accordingly the following complaint was made of this in these plain rythmes which seem to have been made and printed upon this occasion.

*Before that sheepe so much dyd rayne
Where is one plough, then was there twayne,
Of corne and victuall right greate plentye,
And for one penny egges twentye.*

*I truste to God it wil be redressed,
That men by sheepe be not suppressed,
Shepe have eaten men many a yere,
Nowe let men eate shepe and make good cheare.*

*Those that have many sheepe in store,
They may repente it more and more,
Seynge the greate extreme necessitee
And yet they shewe no more charitee.*

*Let them remember the ryche man
Which the Gospell entreateth upon,
He would geve neither meate ne drinke to the poore
That laye right hungrye at hys doore.*

CHAP. XXXV.

1. *The King's supremacy enacted.* 2. *It's made high treason to deprive the King of this title.* 3. *The Bishop acquainted with this by his brother Robert.* 4. *Some account of the King's supremacy.* 5. *A correspondence by letters betwixt the Bishop and Sir Thomas More discovered.* 6. *The Bishop proceeded against on the forementioned statute.*

1. AT the beginning of this last session of the parliament, an Act passed concerning the King's highnesse to be *supreme head of the Church of England, and to have authoritie to redresse all errors, heresies, and abuses in the same.* This, the preamble of the Act observes, had been recognized by the clergie of the realm in their convocations, as I've before particularly shewn it was, with this reserve, *quantum per Dei legem licet*, as far as it is lawful by the law of God. But now without any such exception it was enacted, that the Kinge, his heirs and successors, shall be taken and reputed the onlie **supreme head in earth of the Church of England called Ecclesia Anglicana*, and shall have and enjoie annexed and united to the imperial crowne of this realme as well the title and stile therof, as all honors, preheminences, jurisdictions, &c. to the said dignitie of supreme head of the same Church belonging. This is reflected on by Baily, as contrary to the King's promise to the convocation, that the supremacy should not be enacted without this clause, tho' it no wise appears, that ever any such promise was made. He adds, that this was answerable to what the Bishop forewarned them of when it was debated among them.

26 Hen.
VIII. c. 1.

Life of Bp.
Fisher.

* Mr. Strype, Mem. Eccle. vol. i. p. 168, informs us, that in pursuance of this Act the King took the corporal oaths, subscriptions, and seals of the bishops of the realme unto the said supremacy. But by the Act, its plain, no oath was enjoined or required.

CHAP.
XXXV.

26 Hen.
VIII. c. 13.

Baily.

Answers
made by
Mr. Robert
Fisher, &c.
MS. Coll.
No. 30.

2. By another Act passed this same session, and entitled *An Act wherby offences be made high treason*, &c. it

was enacted, that if any person, after the *first* day of Februarie next coming, did *maliciously* wish, will, or desire, by words or writing, to deprive the King, the Queen, &c. of their dignitie, title, or name of their roial estates—that then every such person so offending, being therof lawfully convicted, shall be adjudged a traitor, and every such offence be reputed and adjudged high treason.

This, we are told, met with great opposition in the House of Commons, who thought it a very hard and rigorous law to make words or writing high treason. A man might chance, it was said, to let an expression drop, in way of discourse, or by accident and unawares, intimating, that the King was not head of the Church, &c. and it was, they thought, very hard, that a man should suffer the pains of high treason for such an offence. To this it was answered, that it was no wise intended, that any such depriving the King of his title, &c. should be adjudged high treason, but only in case any one did it by word or writing *maliciously*. So this word being inserted the bill passed without any further opposition.

3. With this bill being brought into the parliament the Bishop, it seems, was made acquainted by his brother Robert, who was admitted to come to him in the Tower. He told the Bishop, that there was an Act in hand in the House of Commons, by the which speaking of certain words against the King should be made treason. And because it was thought by several of the said House, that no man lightly could beware of, or avoid the penaltie of the said statute, therefore there was much stickling against it in the House of Commons; so that unless it was added in the bill, that the said wordes should be spoken *maliciouslie*, he thought the same should not pass. Upon which the Bishop asked him, whether men should be obliged to make any answere to any pointe upon an oathe by vertue of this Act, as they were by that of the succession? to

which his brother said, no. Upon this discourse of his brother's, the Bishop wrote to Sir Thomas More by the lieutenant's man, George Gold, what had passed betwixt his brother and him, adding, that if this word *maliciously* was put in the statute, he thought there would be no danger if a man did answer to the question that was proposed to him by the council after his own mind, so that he did not the same *maliciously*. Whereupon Sir Thomas supposing, as the Bishop thought, that the Bishop's answer and his should be very near alike, and that the council would from thence conclude, that one of them had taken light from the other, was very desirous that no occasion should be given for any such suspicion, and therefore wrote to the Bishop to that purpose. But notwithstanding this caution, Sir Thomas was afterwards charged with the furnishing the Bishop with the comparing this new Act to a two-edged sword, tho' Sir Thomas himself said, he did not call it so, but only spoke conditionally and in general, *if there was such a law, which as a two-edged sword, &c.* This Act was indeed a very severe one. That concerning the succession only affected the subject's liberty and property, but this touched life itself. But the occasion of it is said to have been the insolencies of some of the friers, who did not stick in their harangues to the people, not only to deny the King's supremacy, but to call the King and Queen heretics, schismatics, tyrant, &c.

4. Its observed, that the grounds of casting off the Pope's authority and power had been for two or three years past studied and enquired into by all the learned men in England, and debated both in parliament and convocation; and that, except Bishop Fisher, not any bishop appeared for the Pope. In the preamble to the Act for-^{24 Hen.} bidding appeals to the see of Rome, it's affirmed, that by ^{VIII. c. 12.} divers sundry old authentike histories and chronicles, it is manifestly express'd and declar'd, that this realm of England is an empire, and so hath been accepted in the world, govern'd by one supreme head and king, having

CHAP.
XXXV.

Histo. of
the Reform.
vol. i. p. 143.

the dignitie and roial estate of the imperial crown of the same, unto whom a bodie politic, compact of all sorts and degrees of people, divided in terms and by names of spiri- tualtie and temporaltie, been bounden and ought to beare, next to God, a natural and humble obedience. But tho' the Bishop was thus unhappily singular in his notions of the papal power, yet being a man of great reputation for learning and very ancient, great pains were taken to satisfie him. A week before the session of parliament, which began January 15, 1534, the Archbishop of Canterbury proposed to him, that *he* and any five doctors, and the Bishop of London and five doctors with *him* might confer about it, and examine the authorities of both sides, that so there might be an agreement among them, by which the scandal might be avoided which otherwise would be taken from *their* janglings and contests among themselves. The Bishop, its said, accepted this proposal, and Stokesly wrote to him on the eighth of January, that he was ready whenever his Lordship pleased, and desired him to name time and place; and if they could not agree the matter among themselves, he moved to refer it to *two* learned men whom they should choose, in whose determination they would both acquiesce. But the prosecuting this overture any further seems to have been hindred by the Bishop's sickness, by which he was detained from giving his attendance on the parliament that whole session.

5. The correspondence by letters betwixt the Bishop and Sir Thomas More, which had by the means of George Gold, the lieutenant's man, and Wilson, the Bishop's servant, been carried on with great secrecy from almost the time of their being confined in the Tower until now, happened about this time to be discovered by one of the letters being intercepted, which was carried to the council.

June 12.
A. R. Hen.
VIII. 27.

Upon this, the Bishop was examined on 31 interrogatories relating to the said correspondence, &c. by Thomas Bedyll and Richard Layton, clerks of the council, in the presence of Sir Edmund Walsingham, Knt., lieutenant of

the Tower, Henry Polstede, John Whalley, and John ap Rice, notary, being sworne *in verbo sacerdotis*, that he would truly answer to the said interrogatories, and to every part of the same as far as he knew or remembred. The Bishop's answer was to this effect: that there had been letters sent to and fro between him and Sir Thomas, *vis.* ^bfour, or thereabouts, since they came to the Tower touching the matters specified in the interrogatorie, but that he did not remember the contents of any of them which he either sent or received before the first being of the council with him: that the first occasion of this writing proceeded from Sir Thomas, who desired to know the effect of the answer which he made to the council in the matter for which he was first committed to the Tower, and accordingly he sent him in a letter the answer which he made; that soon after George, the lieutenant's man, shewed him a letter which Sir Thomas had directed to his daughter Rooper to this purpose, that when the council had proposed to him their business with him, he told them he would not dispute the King's title, and that Mr. Secretarie gave him good words at his departure. On which he wrote to Sir Thomas to know his answer more clearly; to which he received a letter from Sir Thomas concerning his answer, but what the same was, he said, he did not remember. About three or four days after, the Bishop said, he wrote a third letter to Sir Thomas concerning what his brother had told him of the Act for making the denial of the King's titles high treason; and soon after the last being of the council with him, he wrote him a fourth letter, in answer to a verbal

CHAP.
XXXV.

Coll.
No. 40.

^b In Sir Thomas More's indictment it was said there were *octo paria epistolarum*; and Hoddesdon says they were *eight sundry packets*, p. 145. *Epistola de morte D. Tho. Mori.*

^c One of them was in answer to the Bishop's, wherby he desired of me to know how I had answered in my examinations to this oath [Act] of supremacy. Touching which this only I wrote to him again, that I had already settled my conscience, let him settle his to his good liking. *Hoddesdon, &c.* p. 146.

CHAP. message which he received from Sir Thomas by the lieu-
 XXXV. tenant's man: that the letters which he received were all
^d burnt as soon as he had read them, and, that to the
 intent that the effects of them should have been kept
 secret, if possible. For he was loath to be reproved for
 his breach of promise, made to Mr. Lieutenant, that *he*
would not do that thing for the which he might be put to
blame. But that if there was more in the said letters than
 he had before mentioned, he was sure it was nothing but
 exhortation of each other to have patience in their adver-
 sity, and to call upon God for grace, and praying for
 their enemies, and nothing else that should hurt or offende
 any erthly man: and as for any other letters or messages
 sent from *him* to Sir Thomas, or from Sir Thomas to *him*
 since that time, he did not remember any. But, he said,
 he often wrote letters touching his diet to him that pro-
 vided it, as to his brother, Robert Fisher, while he lived,
 and after his death to Edward White. He wrote likewise
 a letter to my lady of Oxford, for her comfort. Letters of
 request, he said, he likewise wrote several to certain of his
 friends for money to pay Mr. Lieutenant for his diet,
 being in great nede; and according to his request, he re-
 ceived certain summs of money of each of those to whom
 he wrote, but no other answer. Only one letter he re-
 ceived from his friend Erasmus, which his brother Robert
 shewed to Mr. Secretary before he brought it to him.
 However, the consequence of this discovery of the Bishop
 and Sir Thomas More's writing to one another was, that
 they were both debarred all use of pen, ink, and paper;
 and all their books were siezed and taken from them, in-
 fol. 218. a. somuch, that, as the Bishop complained to Mr. Secretary
 Cromwel, he had not a book left to assist his private devo-

^d I would have these letters produced, and read against me, which may
 either free me or convince me of a lie. But because you say the Bishop
 burnt them all, I will here tell the truth of the whole matter. Some were
 only of private matters, as about our old friendship and acquaintance.
Hodderdon, &c. p. 146.

tions : unless the Bishop never had any of *his* books with him in the Tower from the very first of his confinement there. For, it seems as if it was not till some months after, that Sir Thomas More had *his* books taken from *him*. In the Bishop's answer to the interrogatories put to him, we have this account of it: that soone after the last being of the council in the Tower, and after the taking away Mr. More's books from him, George, the lieutenant's man, came to the Bishop, and told him that Mr. More was in a peck of troubles, &c.

6. The King being much irritated against the Bishop, and thinking that his credit and authority was such, that if some signal notice was not taken of him, many might be encouraged by his impunity to be disaffected towards him and his proceedings, resolved to proceed against him on this other statute, which made it treason to deny his title, &c. He believed, that some examples of rigor, to shew his subjects there was no mercy to be expected by any that denied his title of supreme head of the Church of England, might serve to terrify the rest, and render them more yielding and compliant. It was with that thought, that the Bishop and Sir Thomas More were excepted out of the general pardon which passed this session, and that the King now resolved to take away their lives in case they did not acknowledge his supremacy. For this purpose he sent to the Bishop in the Tower the Lord Chancellor Audley, the Duke of Suffolk, the Earl of Wiltshire, Mr. Secretary Cromwel, and others, to certify the Bishop of this new statute, and of the penalty of his not obeying ; and in his Majestie's name to demand of him whether he would acknowledge his title of *only supreme head*, &c. as the rest of the lords, both spiritual and temporal, had done. Sir Thomas More tells us, that Mr. Secretary offered him an oath to be sworn to make true answer to such things as should be asked him on the King's behalf: *viz.* 1. Whether he had seen the statute ? 2. Whether he believed it was a lawful made statute or not ? It's not im-

CHAP.
XXXV.

Histo. of
the Refor.
vol. i.
p. 158.

CHAP.
XXXV.

Weaver's
Funeral
Monu-
ments,
p. 504.

probable, that the same 'interrogatories were put to the Bishop. However this be, Sir Thomas More wrote to the Bishop, to desire to have either by writing or word of mouth, certain knowledge what answer he had made to the council. To which the Bishop replied, that he had made his answer according to the statute, which condemned no man but him that spoke *maliciously* against the King's title, and compelled no one to answer to the question which was proposed to him; and that he besought them, that he should not be constrained to make further or other answer than the said statute did oblige him, but would suffer him to enjoy the benefits and advantages of it. It was objected, it seems, to this examination of the Bishop touching his opinion of the statute of the King's supremacy, that since he neither spoke nor acted against the statute, it was a very hard thing to compel him to say precisely, that he either approved or disapproved it. For that if his conscience gave him against the statute, it must be to the loss of his soul to speak for it; and if he said any thing against it, it must be to the destruction of his body. But to this the Secretary answered, that the bishops used to examine those whom they convened before them for heresy, whether they believed the Pope to be head of the Church, and to compel them to make a precise or categorical answer therto; and why then should not the King, since it's a law made here that his Grace is head of this Church of England, compel men to answer precisely to the law here, as they did to that concerning the Pope? To which it was replied on the Bishop's part, that there was a difference between these two cases, because at that time, as well here as elsewhere thro'out christendome, the Pope's power was recognized for an undoubted thing, which seemed not like a thing agreed to

* Wilson, the Bishop's man, said, the council had proposed to him *two* points, but the Bishop said, he remembered but *one* point, *vis.* that the council was sent to him to knowe his opinion of the statute of supreme head.
Answers, &c. MS.

in this realme, and the contrary taken for truth in all others. Whereto Mr. Secretary said again, that they who denied the Pope's supremacy were burnt, as they who denied the King's were hang'd or beheaded; and therefore there was as good reason to compel any one to make precise answer to the one as to the other. To which it was answered, that the reasonableness or unreasonableness of a man's making no precise answer stood not in the difference between heading and burning, but heading and hell, because of the difference in charge of conscience. As if in owning or disowning the Pope's supremacy, and those other points about which they who were accused of heresy were examined as to their belief of them, conscience was no wise concerned: or that to assent to the papal supremacy, and believe transubstantiation, &c. could not be against any one's conscience.

CHAP.
XXXV.

7. Baily tells us, that to the King's message delivered to him by the lords, the Bishop, after some pause, thus replied: My lords, you present before me a two-edged sword; for if I should answer you with a disacknowledgment of the King's supremacy, that would be my death: and if I should acknowledge the same, contrary, perhaps, to my conscience, that would assuredlie be to me worse than death. Wherfore I make it my humble request unto you, that you would bear with my silence, for I shall not make any direct answer to it at all. With this reply the lords were no wise satisfied, and therefore, notwithstanding his request to be born with, they urged him more and more to answer them directly one way or other, telling him how displeasing such kind of shiftings, as they termed the Bishop's refusal to answer to so dangerous a question, would appear unto the King, and how much he was already displeased with him on account of his late correspondence by letters with his fellow prisoner Sir Thomas More. Wherfore, added the Chancellor, if you should now thus use him, you would exasperate his grievous indignation against you more and more, and give him cause

CHAP.
XXXV.

to think, that you deal more stubbornly with him than well becomes the duty of a good subject. To all this the Bishop answered, as Baily reports this story, that as for the letters which had passed between him and Sir Thomas More, he wished with all his heart they were now to be read, since they would declare more innocence than hurt on both their sides, most of them being only friendly salutations, and encouragements to patience: that indeed he was a little curious, knowing Sir Thomas's great learning and profound wit, to know what answer he had made to the questions which were asked him concerning the statute, which answers *he* sent unto him, as he had sent *his* to Sir Thomas. This he declared, on that conscience for which he suffered and would yet suffer farther a thousand deaths rather than justify the least untruth, was all the conspiracy that was between them. As to their telling him, that the King would be much displeased with him for this doubtful answer of his, as they termed it, he said no man could be more sorry than he for the King's displeasure; but that when the case so stood, that in speaking he could not please the King unless he displeased Almighty God, he hoped his Grace would be well satisfied with his silence. On this the Secretary asked the Bishop, wherein *he* should displease Almighty God more than others who had satisfied the King's desires in this matter? The Bishop said, because he knew how his own conscience dictated to *him*, but did not know how the consciences of others might inform *them*. If your conscience be so settled, said the Chancellor, I doubt not but you can give us some good reasons for it. Indeed, my Lorde, said the Bishop, I think I am able to give your Lordships reasons, that perhaps may seem sufficient, why my conscience stands affected as it doth, and could be well content that you heard them, could I declare my mind with safety, and without offence to his Majesty and his laws. After which not a word more was said for that time, but the Lords, calling for the lieutenant, re-delivered the

Bishop into his custody, giving him a strict charge that no further conferences or messages should pass betwixt the Bishop and Sir Thomas More, or any one else. Wilson, the Bishop's man, staid behind the door, whilst the council was with the Bishop, and afterwards told his master, that he heard in part what answer he made to them, and the reasons which Mr. Bedyll, their clerk, who was a man of letters, gave him for acknowledging the King's supremacy. But the Bishop himself said, that he did not remember that ever he declared to Wilson, or to any man, what answer he was disposed to make, whatsoever communication there was between them about it: only "Wilson read to him the two statutes once or twice, and "then he caused them to be burnt, because he thought "that if Mr. Lieutenant had found them with him, he would "have made much business therupon." But the Bishop having, in his answer to the Lords of the Council, said, that they presented him with a two-edged sword, and Sir Thomas More having used the same comparison in speaking of the Act for making it treason to deny the King's titles, it was from thence inferred, that they had both conspired together what answer to make. But Sir Thomas More said, that *his* answer was but conditional; if it be dangerous either to allow or disallow this statute, it was like a two-edged sword, which cut both ways: that if the Bishop's answer was like his, it proceeded not from any conspiracy or design, but from the likeness of their wits and learning.

CHAP.
XXXV.

Answers,
&c. MS.

Hoddesdon,
&c. p. 146,
147.

8. When the substance of this conference and the result of it, was reported to the King by the Lords at their return to court, he swore, Baily says, that they were all fools, and asked them if there were not more waies to the wood than one? They told him that they had tried all the ways that they could think of, and advised him to send to the Bishop some of his own coat, to see if *they* could persuade him further; since, as his Lordship insisted so much on his conscience, it was more properly

CHAP. *their* business to try to satisfie him. But the King, it's
XXXV. said, swore that both More and he should 'acknowledge

Baily. his title of supreme head, or he would know why they should not; and they should make him do it, or he would see better reasons why they could not than any they had yet given him; wishing them to see his face no more until it were done. The Lords upon this, it's said, were put to their shifts, and accordingly thought of the following contrivance to gain their point. As they knew that the Bishop and Sir Thomas had a very great respect for each other, they resolved to play them one against another, in order to deceive them both. They were both therfore, it's said, sent for to court separately, and in so private a manner, that neither of them knew of the other's being there. First, Sir Thomas was sent for, and there kept so strictly, that no soul was suffered to speak with him; and in the mean time it was given out, that Sir Thomas had acknowledged the King's title of supreme head, &c. so that every body believed he had done so. Then they sent for the Bishop, and told him that Sir Thomas had submitted, and acknowledged the King's title, &c. and was received again into the King's grace and favour, whose example, they said, they hoped he would follow. The Bishop having heard as much before, and finding it now confirmed by these Lords, believed it, Baily says, and seemed much troubled at it. But if this was so, his Lordship shewed less sagacity and more credulity than Sir Thomas, who, as Baily himself represents him, when this was told him of the Bishop, and he was very confidently assured that his Lordship was with the King, as a proof of his being restored to his favour, he very plainly answered the Chancellor, that he did not believe the Bishop of Rochester

' Baily represents the King as swearing that the Bishop should take the oath of *succession*; but he had now suffered the penalties for refusal of that, and it must be therfore to the utmost tyrannical and illegal, to force him to take an oath which he had suffered so much for not taking. But the poor man's head was full of that and the fancied oath of *supremacy*.

had submitted, and acknowledged the King's title, &c. CHAP. XXXV.
 But indeed this seems to be a made story: neither Mr. Rooper, nor any of the writers of Sir Thomas More's life, so far as I can find, take any notice of it. And Baily, who tells this story, says, they were thus tampered with to oblige them to take the *oath of supremacy*, a name which he, and the writers of Sir Thomas More's life, give to the *oath of succession*, because, they said, all that took it were obliged to renounce the Pope's authority. By the way, this is a calumny, as Bishop Burnet very justly observed, Hist. of Reform. vol. i. p. 241, 351. that runs in a thread through all the ^shistorians of the Popish side, that the Bishop, Sir Thomas More, the monks of the charter-house, &c. who suffered at this time, were put to death for refusing to take the oath of supremacy. Whereas, supposing that the oath of succession might be so called, its certain, that by the Act that required the taking it, the penalty of refusing it was not death, but only the loss of estate and liberty. But to return to the Bishop. Baily has given us the following speech, which, he says, he made to the Lords on this occasion. My Lords, I confesse I am a little perplexed at that which you now tell me, which is no more than what I have heard already. I am exceeding sorry, that *that* courage should now be wanting to him which I once thought never would have failed him; and, that constancy is not added to all his other great and singular virtues. But I am not a fit man to blame *him* in regard I was never assaulted with those strong temptations (meaning Sir Thomas's wife and children), the which, it seems, at last have overcome him. However, because ye say I wholly ^adepend on his judgment, and have hitherto stood out by

^s In principio anni Domini 1535 definitum fuit per Regem Angliæ et in celebri Actu Parlamenti sui institutum ut omnes—ipsum Regem ut supremum caput Ecclesiæ, tam in spiritualibus quam in temporalibus sub juramenti attestatione susciperent: contradicentes vero tanquam rei læsæ majestatis haberentur, &c. *Cheneyus de martyrio Carthusiano*: c. 9.

^a In the same manner, it seems, was Sir Thomas More suspected as

CHAP.
XXXV.

* King's
title.
* acknow-
ledge.

his persuasions I know not how better to let you know how much you were deceived with that opinion, than to let you see how I now stand to the same ground upon my own legs which I formerly stood upon. Wherefore now I here tell you plainly, that as I will not say any thing against the *oath, so I cannot in any wise *take it, except I should utterly make shipwrec of my soul and conscience, and then were I fit to serve neither God nor man. Upon which the Lords finding they could neither by this trick bring the Bishop and Sir Thomas to acknowledge the King's title, &c. they were both remanded to the Tower. But this indeed was so foul an artifice, and the several circumstances of it, as they are at large related by Baily, so plainly making lies their refuge, that it is not easy to believe, that any who had the least sense of honour could have recourse to any thing so base and vile. And yet the teller or maker of this story is not ashamed to represent the King himself as privy to it.

Baily.

9. After this, we are further told, the King, according to the advice before given him, to send to the Bishop some of his own order, sent to him Stokesly, Bishop of London, Gardiner, Bishop of Winchester, and Tonstall, Bishop of Durham, who were to try what they could do with the Bishop, and see they did it, or brought him to a compliance, for the King would have it done; so absolute and tyrannical is his Majesty represented. Accordingly these prelates, it's said, went to the Tower, where they are represented as dealing heartily with his Lordship, to persuade him to submit to the King, and to take the oath of supremacy and succession, Baily says, but rather, as appears even by the Bishop's answer to them, as reported by Baily himself, only to own the King's title of supreme head, &c. But to these persuasions of the bishops his Lordship is said to have made the following reply: My Lords, it doth not grieve me so much to be urged so sorely

pinning his soul upon Bishop Fisher. More's Life of Sir Thomas More, p. 228, ed. 1726.

in a businesse of this nature, as it doth wound me grievously, that I should be urged by *you*, whom it concerns as much as me. Alas! I do but defend your cause whiles you so plead against yourselves. It would better become us all to stick together in repressing the violences and injuries which daily are obtruded upon our holy mother the Catholic Church, whom we have all in common, than thus divided among ourselves to help on the mischief. But I see judgment is begun at the house of God, and I see no hope, if we fall, that the rest will stand. You see that we are besieged on every side, and the fort is betrayed by those who should defend it. And since we have made no better resistance, we are not the men that shall see an end of these calamities. Wherefore, I pray, leave me to Almighty God, in whom only there is comfort, which no man can deprive me of: and for that you have so often told me of the King's heavy displeasure against me, I pray remember my duty to his Grace, and tell him, I had rather exercise the duty I owe unto his Grace in praying for him, than in pleasing him in this kind. So the bishops departed from him with heavy hearts and sad countenances, and never came unto him any more.

CHAP.
XXXV.

10. Baily tells us, that when the bishops were gone, Baily. Wilson, the Bishop's man, who waited on him in the Tower, being somewhat simple, and having heard all the discourse which passed betwixt the bishops and his master, thinking he had got reason enough to persuade his lord, began to take him in hand, and spake to him to this purpose: "Alas! my Lord, why should you stick with the King more than the rest of the bishops, who are learned and godly mén? Doubt you not he requireth no more of you but only that you would say he is head of the Church, and methinks that is no great matter, for your Lordship may still think as you please." Wherat the Bishop fell into such a fit of laughter, that he little thought he should have laughed so much so long as he had a day to live. But the man, taking courage at this, began to prosecute

CHAP. his discourse in a manner which he thought more serious,
 XXXV. which the Bishop cut short with this composure of jest and earnest. "Tush, Tush, thou art but a foole, and knowest but little what belongs to this businesse, but hereafter thou maist know better. Alas! poor fellow, I know thou lovest me, and speakest this out of simplicity and love together. But I tell thee, it is not only for the supremacy that I am thus tossed and tumbled, but also for another oath (meaning the oath of succession) which if I would have sworn unto, I believe I should never have been much questioned for the supremacy. Nor is it for these two that I stand out, but for the ensuing evils that must necessarily follow hereupon. And this thou maist say another day thou hast heard me speak when I am dead and gone." But who can imagine that the Bishop was so weak as to talk at this rate? In the first place he intimates, that he was required to swear to the supremacy as well as to the succession which he knew to be false. Next he is made to say, that he could swear to both was it not for the ill consequences that he apprehended would follow, which is utterly inconsistent with his pleading, that taking the oath, and acknowledging the King's title of Supreme Head was against his conscience.

May 7,
 1535.

11. These attempts to bring the Bishop to acknowledge the King's title of supreme Head all failing, the next thing undertaken was to get evidence of his denying it to bring his Lordship under the lash of the new law which made it high treason, and consequently death, so to do. For this purpose, it's said, ¹Rich, then the King's solicitor-general, was sent unto the Bishop, as from the King, upon some secret message to be notified to him on his Majestie's behalf. This message, we are told, was to this effect. "That he had a great secret to impart to him from the King which was a case of conscience; that though he was now look'd upon, as his Lordship considered him-

¹ Richardus Rich Armi. constitutus Solicitator Regis Generalium T. R. apud Westm. 4 Octo. Pat. 25. Hen. VIII. *Dugdale, Chro. Series, &c.* p. 85.

" self, as a man utterly forlorne, yet he must tell him, by
 " the King's express commands, that there was no man CHAP.
XXXV.
 " within his dominions that he esteemed as a more able
 " man, or a man upon whose honesty and integrity he
 " could more rely than himself: that therefore the King
 " commanded him to tell his Lordship, that he should
 " speak his mind freely and boldly unto *him* as to himself
 " concerning the businesse of the supremacy, protesting
 " upon his Royal word, and the Dignity of a King, that if
 " his Lordship should tell him plainly it was unlawful, He
 " would never undertake it: that the King willed him fur-
 " ther to acquaint his Lordship, that he might see how far
 " His royal heart and pious inclination was from the exer-
 " cise of any unjust or illegal jurisdiction by vertue of His
 " being acknowledged to be the supreme Head on earth of
 " the Church of England, that if he would but acknow-
 " ledge this His supremacy, he himself should be His
 " Vicar-general over His whole dominions to see that
 " nothing should be put in execution but what was agree-
 " able both to the laws of God, and to good men's liking:
 " But that the King thought, that whilst His people ac-
 " knowledged any other Head besides Himself, His crown
 " sate not safely nor rightly upon his own head: that ther-
 " fore he prayed his Lordship, since the King had been so
 " graciously pleased to open His breast unto him in these
 " particulars, that he would answer the respect shewed him
 " with an ingenuity that was suitable to so high a favour,
 " and that without any the least suspicion of any fraud or
 " guile intended to his good Lordship either by the King
 " or himself."

12. This must be allowed to be a very artful, insinuating
 address, in which a very moving application was made to
 that universal passion by which all men, even the most
 humble and mortified, are more or less influenced. The
 great compliment paid to the Bishop's learning and morals,
 and the offer of so high a promotion as the being placed
 next in dignity to the King himself were very powerful

CHAP. charmas, and ensnaring temptations. And so far we see
XXXV. was the Bishop affected with them, as not to suspect, as

Bailly. he ought to have done, the hook that was concealed under this pompous and alluring bait. His Lordship therefore, we are told, thinking he had assurance enough in conscience, when for conscience sake his opinion was asked and required in this matter, told the solicitor, that according to the best of his ability and faithfulness he would answer him freely, and without fear of any other intentions towards him than what were just and honourable. But had the Bishop forgot what passed in Convocation, and how freely there he had declared his mind concerning this supremacy? Could he suppose, that this was a secret to the King, or that if His Majesty was really minded to govern himself by his Lordship's opinion, he would not have asked it before His being acknowledged supreme Head, &c. was passed into a law, and that it was made death for any one to deny it? But however this be, his Lordship is said thus to have proceeded in declaring to the solicitor his judgment of the King's supremacy; "that he must needs tell His Grace, as he had often told Him heretofore, and would so tell Him if he was to die that present hour, it was utterly unlawful: and that therefore he would not wish His Grace to take any such power or title upon Him as He loved His own soul and the good of His posterity: That it would be such a precedent as none would follow, since all would wonder at it, and would never leave this Land till it lay buried with the Power that first assumed it: that for the King to make him His Vicar-General of His whole Dominions to see that nothing was done contrary to the Laws of God would be to no purpose, when nothing was more contrary to God's Laws than that he should be in such an office: As to His Grace's conception of the crown's not sitting rightly upon His Head whilst His people, as so many half-subjects, owned any other Head besides Himself, he must tell Him, that such a Headship was no more prejudicial to the temporal

supremacy, than judgment, which is the top or Head of the Soul, is inconvenient to the Understanding : Since he must tell Him, that there never were any greater stays or supports to any crown than were the English Catholics all along unto the Crown of England, and that even against all or any the least encroachment offered or attempted to be made by the Bishop of Rome himself, as He would see in the Statute Laws of King Richard the Second, where He'd find, in many businesses wherein the Pope of Rome himself was interested, the English Catholics flatly denying the Crown of England, which they stoutly averred to be immediately subject to none but God, to be subject to the Pope of Rome ; and yet the very same parliament acknowledged, at the same time, the Bishop of Rome, in respect of his spiritual jurisdiction, to be their most Holy Father." The same story we are told of this solicitor Rich, relating to Sir Thomas More, only as the Bishop was caught by his answering a pretended case of conscience, so Sir Thomas was trick'd by his giving his opinion of a point of law. The one is tempted to think, that as the King would not thus prostitute His Royal Name and Dignity, so neither could men of that famed judgment and great experience have been so deceived and imposed on. There seems therefore to be some reason for suspecting the truth of this story. The Bishop's indictment, as will be shewn presently, mentions the very words spoken by the Bishop, which are nowhere to be found in this answer of his to Rich. Next it sets forth, that these words were spoken to several persons, whereas, according to this account, Rich and the Bishop were together alone when this pretended case of conscience was put to his Lordship, and, as will be shewn in the next chapter, Rich was the only evidence produced against him. Besides, it appears by the Bishop's answers to the several interrogatories put to him, that he was examined by the council on this statute, and that his answer was according to it ; and that it was his Lordship's opinion, that so long as the word *maliciously* was in the

CHAP.
XXXV.

Answer to
Interrog.
Coll. No.
30, 31.

CHAP. statute, there could be no danger if a man did answer to
XXXV. the question proposed by the council, *Whether it was a lawful made statute?* after his own mind, so that he did not the same *maliciously*. Where now is the improbability of the Bishop's speaking freely to the council his real sense of the statute, and the King's supremacy? And why mayn't they of the council and their clerks be the several persons mentioned in the indictment to whom he spoke the words there repeated? If so there was no occasion to send Rich on the errand here supposed, and in direct contradiction to the indictment to take up with his single evidence.

CHAP. XXXVI.

1. *The Bishop made a Cardinal.* 2. *A Commission given out for his Trial.* 3, 4, 5, 6, 7. *The Trial put off on account of his illness. Some Account of the Trial.* 8, 9. *He is found guilty and condemned.* 10. *His Speech after his condemnation.* 11. *He is carried back to the Tower.* 12. *Reflections on this account.*

1. POPE Paul III. thinking fit to nominate some very remarkably learned men to be Cardinals against the ap-^{Erasm}proaching Council of Trent, was pleased among them to ^{Epist.} promote Bishop Fisher to this dignity by the title of *Sancti Vitalis Presbyter Cardinalis*, on which this pun was made, ^{May 21,} 1535. that to the Bishop it was *Parum Vitalis*, since it was thought owing to this, that the King sought to take away his life. It was, it seems, designed, that the sending this hat to the Bishop should have been performed with the greatest ceremony and solemnity that ever any hat was sent with from Rome, not excepting even that which was sent to Wolsey. By this it was thought the King would have been induced to recollect Himself, and to take some care how He offended the Pope and Cardinals by proceeding to further severities against the Bishop. But the Pope and his Conclave were quite out in their guesses, for as soon as ever the King had intelligence of this design, thinking it intended as an insult upon Him, He swore, it's said, that if the Pope would have Fisher wear a Cardinal's Hat, he should wear it on his shoulders, for he would leave him never a head to wear it on. But however this be, it's certain He immediately dispatch'd a messenger to Calis to command, that the Hat should be brought no

* Paulo tertio visum est in futuram Synodum creare Cardinales aliquot insigniter eruditos.——Roffensi Episcopo galerus Cardinalitius exhibitus est in carcere, sed ille jam mori decreverat.

CHAP.
XXXVI.

Answers,
&c. MS.

nearer until His pleasure was further known. But as for the Bishop, when the 'lieutenant's man George brought him word, after the last sitting of the council, or their being with him in the Tower, that he heard Mrs. Rooper say that he was made a Cardinal, he said before him and his own servant Wilson, *That yf the Cardinal's Hatt were layed at his feete, he woulde not stoupe to take it up, he did sett so litle by it.* Thus the Bishop's friend Erasmus wrote, that a Cardinal's Hat was offered to the Bishop in prison but that he had already resolved to die. Sanders indeed tells us, that the King sent some of the judges to examine the Bishop whether he had made any application to the Pope for this Honour, and that the Bishop replied, that he never solicited for *that* or any other dignity: that this was a very improper time to make any such application; and that old age, imprisonment, and daily expectations of death were preservatives against any such ambition. But Bailly tells us, the King sent his secretary to the Tower to pump the Bishop in what manner he would receive the tidings of this new promotion. The secretary therefore, as he tells the story, asked him, whether if the Pope should send him a Cardinal's Hat he would accept of it. To which, Bailly says, the Bishop replied, that *he knew himself to be so far unworthy of any such dignity, that he thought of nothing less: but if any such thing should happen, the secretary might assure himself he should improve that favour to the best advantage that he could in assisting the Holy Catholic Church of Christ, and that upon that account he would receive the Hat upon his knees.* The secretary making his report to the King of this answer of the Bishop's, He, Bailly says, with great indignation replied, *Ay, is he yet so lusty? Well, let the Pope send him a Hat when he will, Mother of God, he shall wear it on his shoulders then, for I will leave him never a*

^b This Mr. Collier thus represents: One Article against him was, that a servant of the Lieutenant's had heard Mrs. Roper his daughter say, that Bp. Fisher was made a Cardinal, &c. *Eccle. Histo.* Vol. II. p. 96.

head to set it on; and so hastned his trial and execution. Much the like reflection is made by the Bishop's friend Erasmus, as if his death was hastned, if not 'wholly occasioned by this unseasonable piece of respect of the Pope's. Thus, says he, He gave the Bishop a scarlet hat indeed, alluding to it's being dyed, as it were, in the Bishop's blood. CHAP.
XXXVI.

2. On the solicitor's reporting to the King what had passed betwixt the Bishop and him, it was thought, it seems, that what his Lordship then said, and the other particulars which they had against him, would, when put together, amount to a denial of the King's title of Supreme Head, and bring him within the compass of the late act. Accordingly the King, immediately after, ordered a Commission to be drawn wherby the Lord Chancellor, Charles Duke of Suffolk, Henry Earl of Cumberland, Thomas Earl of Wiltshire, Thomas Cromwel, Secretary of State, Sir John Fitzjames, Chief Justice of the King's Bench, Sir John Baldwin, Chief Justice of the Common Plees, Sir William Pawlet, Sir Richard Lyster, Chief Baron of the Exchequer, Sir ^dJohn Port, Sir John Spilman, and Sir Walter Luke, late Justices of the King's Bench, and Sir Anthony Fitz-herbert, one of the Justices of the Common Plees. Against the time appointed for their opening this Commission the King's learned council had drawn up an indictment of high treason against the Bishop upon this statute for making certain offences high treason, &c. This indictment was to the following effect: that "one John 26 Hen
VIII. c. 13.
"Fisher, late of the city of Rochester, in the county of Weever's
Funeral
Monu-
ments, p.
504.
"Kent, clerk, otherwise called John Fisher, late Bishop

^c Sir Thomas More, in one of his letters to his daughter Rooper, told her, that the Secretary said unto him, that *he was a prisoner condemned to perpetual prison*; and the same, I suppose, was the Bishop's case. *Rooper's Life of Sir Thomas More*, ed. 1728. p. 134.

^d So Baily. But Sir William Dugdale in his *Chronica Series Cancellariorum*, &c. thus names them: Will. Luke, Sir John Spelman, John Port, Justices of the Common Plees, Anthony Fitz-Herbert, Justice of the King's Bench, p. 82, 80.

CHAP.
XXXVI.

“ of Rochester, not having God before his eyes, but being
 “ seduced by diabolical instigation, falsely, maliciously and
 “ traiterously wishing, willing, and desiring and by art
 “ imagining, inventing, practising, and attempting to de-
 “ prive our most serene Lord Henry the Eighth by the
 “ Grace of God King of England and France and Lord
 “ of Ireland, and on earth Supreme Head of the Church
 “ of England, of the dignity, title and name of His Royal
 “ State, *viz.* of his dignity, title and name of Supreme
 “ Head on earth of the Church of England annexed and
 “ united to His said Imperial Crown as is aforesaid, did on
 “ the *seventh* day of May in the 27th year of the said
 “ King’s reign at the Tower of London in the county of
 “ Middlesex, contrary to his allegiance, falsely, maliciously,
 “ and traiterously speak and utter these words in English
 “ to divers of His Majestie’s faithful subjects, *viz. the*
 “ *King our sovereign Lord is not supreme Head in earth*
 “ *of the Church of England*, to the despite and manifest
 “ contempt of the said Lord the King, and the derogation
 “ and no small prejudice of the Title and Name of His
 “ Royal State, and contrary to the form of another act
 “ passed in the 26th year of the King’s reign, &c.” So that
 “ the Bishop was indicted on the act *concerning the King’s*
 “ *highnesse to be Supreme Head of the Church of England*,
 “ as well as on that for *making certain offences high treason*.

26 Hen.
VIII. c. 1.

3. A little before this was the Bishop taken so very ill, that it was expected he would have saved the court the trouble of a trial, and himself the shame and pain of a violent death. On which the King, Baily tells us, sent his own ^dphysicians to him to visit him, and prescribe to him; who having recovered him to some greater strength, and a better state of health, so that he was thought able to go abroad, he was on Thursday the 27th of June

^d — to his great charges, as I have it in my record, to the value of 50 pounds. A great sum for that time, equal to at least 350 pounds now! But to this incredible expence, Baily says, the King put himself, only that the Bishop might be reserved for further trial. *Life of Bishop Fisher*, ch. 22.

'brought from the Tower to the court of King's Bench at Westminster; and because he was not yet so well recovered as to be able to walk all the way on 'foot, he rode part of it on horseback in a black cloth gown, and the rest of the way he was carried by water, for that he was not well able to ride throughout for weakness. But, I suppose, the tide not serving to go through bridge, the Bishop was carried to the Old Swan, the very next stairs on the other side of it, to take water there. As soon as he was come into Westminster Hall, he was there presented at the barre in the court of King's Bench before the commissioners, who were all there sat ready in their places against his coming. Being thus brought before them, he was commanded by the name and title of John Fisher, late of Rochester, clerk, otherwise called John Fisher, late Bishop of Rochester, to hold up his hand, which he did with a most chearful countenance and an uncommon firmness and constancy. Then was read to him his indictment, in the form before mentioned. When it was all read he was asked, whether he was guilty of this treason or no? wherunto he pleaded, Not guilty. Then was a jury of 'twelve men, being freeholders of Middlesex, called and sworn to try this issue. The jury being sworn,

CHAP.
XXXVI.

June 17,
1535.

* Baily says he was carried to Westminster with a huge number of halbers, bills, and other weapons about him, and the axe of the Tower born before him, with the edge from him, as the manner is. But the Bishop's barony being forfeited, and accordingly siezed by the King, on his being attainted and found guilty of misprision of treason, for refusing the oath of succession, he was not considered as a peer, and accordingly was tried by commoners, and was sentenced, not to be beheaded, but hanged, &c.

† According to Moreri, the Bishop was now 80 years old, and, as Baily reckons his age, not less than 76, and as I compute it he was 70. At which time of life, supposing him to be never so well in health, its scarce credible he should be able to walk so far as it is from the Tower to Westminster Hall upon the stones.

‡ Their names are thus given us by Baily: Sir Hugh Vaughan, Knight, Sir Walter Langford, Knight, Thomas Burbage, John Nudygate, William Browne, John Hewes, Jasper Leake, John Palmer, Richard Henry Young, Henry Lodiaman, John Elrington, and George Heveningham, Esquires.

CHAP. the next thing the judges were to do was to hear the evi-
XXXVI. dence which the King's council had to produce to prove the indictment. This, Baily says, was the single one of solicitor Rich, whom he stiles the secret and close messenger that passed betwixt the King and the Bishop: he deposed upon oath, that he heard the prisoner say in plaine words within the Tower of London, that he believed in his conscience, and by his learning he assuredlie knew, that the King neither was, nor by right could be, supreme head in earth of the Church of England. When the Bishop heard this he was, its said, not a little surprized to find him thus appearing as an evidence against him: he therefore, it's said, spake to him in the following manner.

Baily. 4. ' Mr. Rich, I cannot but marvaile to hear *you* come in and beare witnesse against me of these words, knowing in what secret manner you came to me. But suppose I did so say unto you, as you have now given evidence, yet in that saying I committed no treason: for upon what occasion, and for what cause it might be said, you yourself know very well. And therefore being now urged by this occasion to open somewhat of this matter, I shall desire, my Lords and others, here to have a little patience in hearing what I shall say for myself. This man,' meaning Mr. Rich, ' came to me from the King, as he said, on a secret message, with commendations from his Grace, declaring at large what a good opinion his Grace had of me, and how sorry he was for my trouble, with many more words than are here needfull to be recited, because they tended so much to my praise as I was not only ashamed to hear them, but also knew right well that I could no way deserve them. At last he broke with me the matter of the King's supremacy lately granted to him by act of parliament: to the which, he said, altho' all the bishops in the realme had consented, except myself alone, and all the whole court of parliament, both spiritual and temporal, except a very few, yet the King, for better satisfaction of

his own conscience, had sent him unto me in this secret manner to know my full opinion in the matter, for the great affiance he had in me more than in any other person. To this Rich further added, that if I would herein frankly and freely advertise his Grace of my knowledge, upon certificate of my misliking, he was very like to retract much of his former doings, and make satisfaction for the same. When I had heard all his message, and considered a little his words, I put him in mind of the new Act of parliament, which standing in force, as it doth, against all them that shall directly say or do any thing that is against it, might thereby endanger me very much in case I should utter unto him any thing that was offensive against that law. To that Mr. Rich told me, that the King willed him to assure me on his honour, and in the word of a King, that whatsoever I should say unto him by this his secret messenger I should abide no danger nor peril for it, nor that any advantage should be taken against me for the same, no, although my words were never so directly against the statute, seeing it was but a declaration of my minde secretly to him as to his own person. And for the messenger himselfe he gave me his faithful promise, that he would never utter my words in this matter to any man living but to the King alone. Now therefore, my Lords, seeing it pleased the King's Majesty to send to me thus secretly, under the pretence of plain and true meaning, to know my poore advice and opinion in these his weighty and great affairs, which I most gladly was, and ever will be, willing to send him in, methinks it is very hard injustice to heare the messenger's accusation, and to allow the same as a sufficient testimony against me in case of treason.'

CHAP.
XXXVI.

5. This account is somewhat different from that which was given us before : since in *that* I don't observe the least hint of the Bishop's objecting to Rich the new Act of parliament, which made it death to deny the King's title of Supreme Head, &c. nor of Rich's assuring him, that no

CHAP.
XXXVI.

advantage should be taken against him on that Act, but only in general, that the Bishop should not entertain the least suspicion of fraud intended to him: nor lastly of Rich's giving him his promise, that he would never declare what the Bishop said to him to any one besides the King. But however this be, its plain by this account, that the Bishop did on this occasion declare his mind or opinion of the King's title of Supreme Head, which if he had kept to himself, the statute could not have hurt him.

6. To this speech of the Bishop's, Rich, it's said, made no direct answer, but, neither denying the Bishop's words as false, nor confessing them as true, said, that whatever he had spoken unto the Bishop on the King's behalf, he said no more than his Majesty commanded him to say: and that if he had spoken to him in such sort as the Bishop had now declared, or given him such promises and assurances in the King's name and his own, that he should not incur any danger by what he said to him, he would gladly know what discharge this was to him in law against his Majestie for speaking so directly against the statute. This sure was very barefaced and impudent, and like a man who had no sense of either honour or conscience.

Rooper,
Life of Sir
Thomas
More, MS.

And so indeed Sir Thomas More afterwards assured his judges Rich was always reputed to be, 'a man light of his tongue, a great dicer, and of no commendable fame.' Accordingly *he* suspected him, and would not put that confidence in him, as our Bishop did, to tell him what he thought of the King's supremacy. And therfore when Rich gave evidence against him as denying it, he plainly charged him with perjury. But however this be, some of the judges, it's said, taking hold of this observation of Rich's, thus delivered their opinions one after another: that this message or promise, mentioned by the Bishop, from the King to him, neither could, nor did by rigour of the law, discharge him; but in so declaring his mind and conscience against the supremacy, yea, though it were at the King's own commandment or request, he committed

Bailly.

treason by the statute, and nothing could discharge him from death but the King's pardon. CHAP.
XXXVI.

7. Upon the judges thus overruling his exceptions to Rich's evidence, the Bishop, it's said, again spoke to them to the following purpose. ' Yet I pray you, my Lords, consider, that by all equity, justice, worldly honesty and courteous dealing, I cannot, as the case standeth, be directly charged therewith as with treason, though I had spoken the words indeed, the same being not spoken *maliciously*, but in the way of advice and counsel when it was requested of me by the King himself. And that favour the very words of the statute do give me, being made only against such as shall *maliciously* gainsay the King's supremacy, and none other. Wherefore, altho' by rigour of law you may take occasion thus to condemn me, yet I hope you cannot finde law, except you add rigour to that law, to cast me down, which herein, I hope, I have not deserved.' To the same purpose, Rooper tells us, did Sir Thomas More argue in defence of himself, when tried upon the same statute, that if he had so don, as Mr. Rich had sworne, seeing it was spoken but in secret familiar talke, nothing affirming, and onlie in putting of cases without other displeasent circumstances, it could not justly be taken to be spoken *maliciously*; and where there was no malice, there could be no offence. But this plea was likewise overruled by the judges, who, Baily tells us, said, that the word *maliciously* was but a superfluous and void word; for if a man spoke against the King's supremacy by any manner of means, that speaking was to be understood, and taken in law as speaking *maliciously*. To which the Bishop thus replied, ' My Lords,' said he, ' if the law be so understood, it is a hard exposition, and, as I take it, contrary to the meaning of them that made the law.' So said Sir Thomas More, that ' he could never think, that so many worthy bishops, so many honourable personages, and so many other worshipful, vertuous, wise and learned men, as at the making of that law were in

CHAP. that parliament assembled, ever meant to have any man
XXXVI.

punished by death in whom there could be found no *malice*, taking *malitia* for *malevolentia*; for if *malitia* was to be taken for sin in general, there was then no man that could excuse himself.' The Bishop proceeded thus. 'But then, said he, let me demand this question, whether a single testimony or evidence of one man, may be admitted as sufficient to prove me guilty of treason for speaking these words, or no? and whether or no my answer, negatively, may not be accepted to my availe and benefit against his affirmative? To which the judges and King's counsel answered, 'that it being the King's cause, it rested much in the consciences and discretion of the jury; and as they, upon the evidence given before them, should find it, he was either to be acquitted, or else by judgment to be condemned.'

8. The jury, Baile tells us, having heard all Rich's single evidence, departed or went aside, according to custom, into a secret place, or by themselves, there to agree upon the verdict. But before they went out of court, the case was so aggravated to them by my Lord Chancellor in summing up the evidence, who made it so heinous and dangerous a treason, that they easily perceived what verdict they must return, or else heap such danger upon their own heads as none of them were willing to undergo. Some others of the commissioners urged the Bishop with obstinacy and 'singularity, alledging, that he being but one man, did presumptuously stand against that which was agreed upon in the great council of parliament, and finallie was consented unto by all the bishops of the kingdome, except himself. But to this the Bishop answered, that 'indeed he might well be accounted singular, if he should stand alone in this matter, as they said he did; but that having on his side the rest of the bishops in christendome, *he should have excepted those of the Galli-*

^b The same objection of singularitie, Rooper tells us, was made to Sir Thomas More at his trial.

can church, far surmounting the number of the bishops in England, they could not, he said, justly account him singular. And having thus on his part all the catholics and bishops of the world, from Christ's ascension until now, joined with the entire consent of Christ's universal Church, he must needs, he said, account his own side much the surer. But as for obstinacy, which, he observed, was likewise objected against him, he had no way to cleare himself of that charge, but the giving his own solemn word and promise to the contrary, if they pleased to believe it; or else, if that would not serve, he was there ready to confirm the same by his oath.' But all this availed nothing; the jury in a short time returning, brought in their verdict that the Bishop was guilty of high treason. On which Baily reflects, as if it was done against their consciences; and assures us, that some of them owned as much afterwards, saying, that what they did was to save their own lives and estates, which they were well assured they should lose in case they acquitted the Bishop.

CHAP.
XXXVI.

9. The jury having thus brought in their verdict, the Lord Chancellor, the crier of the court having first made proclamation of silence to be kept, proceeded thus to apply himself to the Bishop: 'My Lord of Rochester, you have been here arraigned of high treason; and, putting yourself to the trial of twelve men, you have pleaded not guilty, and they notwithstanding have found you guilty in their consciences. Wherefore, if you have any more to say for yourself, you are now to be heard, or else to receive judgment according to the order and course of law.' This, however, was better treatment than Sir Thomas More had soon after; since Rooper tells us, no sooner had the jury brought in their verdict, but the Lord Chancellor was going immediately to pronounce sentence, or give judgment, without ever asking the prisoner what he had to say in arrest of judgment. But to return. In answer to the Lord Chancellor's question, the Bishop thus replied: 'Truly, my Lord, if that which I have already

CHAP. said be not sufficient, I have no more to say, but only to
XXXVI. desire Almighty God to forgive them who have thus condemned me; for, I think, they know not what they have done.' On which the Lord Chancellor thus gave judgment, or pronounced sentence of death upon him. 'You shall be led to the place from whence you came, and from thence shall be drawne through the city to the place of execution at Tybourne, where your body shall be hanged by the neck, and cut down half alive and thrown to the ground; your bowels shall be taken out of your body before your face whilst you are yet alive; your head shall be smitten off, and your body divided into four quarters, to be set up where the King shall appoint, and God have mercy upon your soule.'

10. Sentence being thus given, the Bishop desired leave of the commissioners to speak a few words before he went out of court; which being given him, he spoke to this effect. 'My Lords, I am here condemned before you of high treason for denial of the King's supremacy over the church of England, but by what order of justice I leave to God, who is the searcher of both the King's Majestie's conscience and your's. Nevertheless being found guiltie, as it is termed, I am, and must be contented with all that God shall send, to whose will I wholly refer and submit myselfe. And now, to tell you more plainly my mind touching this 'matter of the King's supremacy, I think indeed, and alwaies have thought, and do now lastly affirme, that his Grace cannot justly claim any such supremacy over the Church of God, as he now taketh upon him; neither hath it ever been seen or heard of, that any temporal prince before his daies hath presumed to that dignity. Wherefore, if the King will now adventure himself in proceeding in this strange and unwonted case, no doubt but he shall deeply incur the grievous displeasure of Almighty God, to the great damage of his

¹ Rooper represents Sir Thomas More as doing the same, only he did it before the passing sentence, as the Bishop is said to have done it after.

own soul, and of many others, and to the utter ruine of this realme committed to his charge; wherof will ensue some sharp punishment at his hand. Wherfore I pray God his Grace may remember himself in time, and hearken to good counsel for the preservation of himself and his realme, and the quietnesse of all christendome.'

CHAP.
XXXVI.

11. The lieutenant of the Tower standing ready with his men to receive and carry back his prisoner, he was, after his making an end of what he desired to say to his judges, conveyed back again to the Tower in the same manner as he was brought from thence to his trial, partly by water, and partly on horseback. When he was come to the Tower-gate, he turned back to the guard of halberdeers, &c. which had conducted him thus forward and backward, and spake to them as follows: 'My Masters, I thank you all for the great labour and pains which ye have taken with me to day; I am not able to give you any thing in recompence, because I have nothing left, and therefore I pray you accept in good part my hearty thanks. And this, Baily says, he spoke with so good a courage, so amiable a countenance, and with so fresh and lively a colour in his face, as he seemed rather to have come from some great feast or banquet, than from his trial and condemnation, shewing by all his carriage and outward behaviour nothing else but joy and satisfaction.

12. According to this account of the Bishop's prosecution on this new Act, it must be owned he had very cruel and tyrannical usage, and was perfectly decoyed and trepanned out of his life. As the case of pretended conscience was put by the solicitor to the Bishop in the King's name, and by his command, if he had not answered it, he'd, very probably, have been accused as wanting in respect and duty to his Majestie. But what can be more infamous and dishonourable, than under a pretence of

* Ut ad Ostium ventum est, versus ad satellites hilari plaecidoque vultu, plurimam, inquit, optimi viri, vobis habeo gratiam pro officio quo me euntem et redeuntem deduxistis. *Epist. de morte D. Tho. Mori, &c.*

CHAP.
XXXVI.

Bp. Burnet's Hist.
of the Reformat.
vol. i.
p. 158.

having a scrupulous and uneasy conscience satisfied, to sollicite a man to say what was intended to be made use of to ruine him; and that on the most solemn security of privacy and safety, no less than the word, and honour, and dignity of a King, which were all most shamefully prostituted? Besides, it must, I think, be allowed, that it was offering the greatest violence to the Act, and acting quite contrary to the intention of it, to construe the Bishop's answering Rich as he did, a *malicious* denying the King's title, &c. And indeed, according to this account, the Bishop's judges themselves were forced to own, that the Bishop was treated with the utmost rigor and severity. But this severity, though it was blamed by some, yet others said it was necessary in so great a change as was bringing about. Since the authority of Fisher and More was such, that if some signal notice had not been taken of them, many might, by their endeavours, have been corrupted in their affections to the King, or however encouraged to oppose him, by their seeing them do it with impunity. But sure evil is not to be done that good may come. It is the observation of the wisest earthly prince that ever was, that a king that sitteth in the throne of judgment, scattereth away all evil with his eyes; and that — xxv. 5. the throne is established by justice. Whereas if the account now given be true, here was such a train of falshood, tricking, and deceit, that the meanest and most corrupt man alive, if he had not lost all manner of sense of humanity, must blush at and be ashamed of. The truth is, the statute on which the Bishop was tried, was a tyrannical and ensnaring law, and seems contrived on purpose for the King to have his revenge of those preachers who were so bold as to oppose his designs; but the putting it to such a use as was made of it in the case of the Bishop, &c. was what even the makers of it seemed not aware of. Others therefore more justly thought, that the prosecuting the Bishop in this rigorous manner, served rather to raise his credit and reputation higher, and to make him more

reverenced by the people, who are naturally inclined to pity those that suffer, and to think well of those opinions for which they see men resolved to endure all extremities rather than renounce them. But after all, it's not in my power to reconcile it's being said in the indictment, that the Bishop denied the King's title of Supreme Head before many witnesses, with there being but one evidence of his doing so produced at his trial, and he too a very exceptionable one. The only account we have of this prosecution of the Bishop is given by one who, it's plain, was very much prejudiced against the King, and exceeding partial to the Bishop. So that on which side the truth lies is perhaps impossible now to be known, and must be therefore referred to that time when the most hidden things shall be brought to light.

CHAP.
XXXVI.

CHAP. XXXVII.

1. *A story of the Bishop's cook in the Tower. 2. The writ is sent for his execution. 3, 4. He is carried from the Tower to the scaffold, where his head is cut off. 5. The executioner carries away his head and sets it on London Bridge, and his body is buried in Alhallowes Berking Church-yard, just by in Tower-street.*

1. THE Bishop being thus returned to the place of his confinement, did not continue there above three or four days. But before the time came that was appointed for his execution a false report was, it seems, raised of his being to be executed such a day; upon which his cook, who used to dress his victuals and carry them daily to him, dressed him no dinner at all that day. When therefore the cook came next unto him, the Bishop asked him why he brought him not his dinner as he used to do. Sir, said the cooke, it was commonly reported that you was to die that day, and therefore I thought it to no purpose to dresse any thing for you. Well, said the Bishop merrily to him againe, for all that rumour thou seest me yet alive, and therefore, whatsoever newes thou shalt heare of me hereafter, let me no more go without my dinner, but get it ready for me as thou usedst to do; and if thou seest me dead when thou comest, then eat it thyself; but I promise thee, if I am alive, by God's grace to eat never a bit the lesse. This story, though it seems a made one, is therefore told by Baily to shew in how composed a temper the Bishop was, and that his late trial and condemnation had no wise ruffled or disordered him. However, if the story be real, it lets us see that the Bishop had now recovered himself from that illness under which he had laboured for so long a time, and was now in a good state of health.

June 21.

2. He had not been in the Tower above three days, as

was said just now, before the writ for his execution was sent to the lieutenant, wherby, however, he had so much favour shewn him, as to have remitted to him that ignominious and cruel execution of drawing, hanging, and quartering, and was only ordered to be led to the Tower hill hard by, and there to have his head struck off. The lieutenant of the Tower having received the bloody writ for the execution of the Bishop the next day, he called to him those whose service and attendance was to be used in the executing it, to order them to be all of them in a readiness against the next morning. And because when the writ was brought to him, it was very late in the night, when the Bishop was supposed to be asleep, he was loath to disturb him, and hinder his rest for that time; and therefore in the morning early, before five of the clock, he went to him in his chamber in the Bell-Tower; where, finding him fast asleep in his bed, he waked him, telling him that he was come to him on a message from the King. After some preamble used, to prevent the Bishop's being surprised by the fatal message, and putting him in mind that he was now an old man, and could not by reason of his great age live long, according to the course of nature, he at last told him, that he was come to signifie unto him, that it was the King's pleasure he should suffer death that forenoon. Well, said the Bishop, if this be your errand, you bring me no great news; for I have some time looked for this message. I most humbly thank his Majesty that it pleaseth him to rid me from all this worldly businesse, and I thank you also for your tidings. But pray, Mr. Lieutenant, added he, when is mine houre that I must go hence? Your hour, said the lieutenant, must be nine of the clock. And what hour is it now, said he? It is now about five, said the lieutenant. Well then, said he, let me by your patience sleep an hour or two, for I have slept very little this night. And yet, to tell you the truth, not for any fear of death, I thank God, but by reason of my great weaknesse and infirmity. The King's further plea-

CHAP.
XXXVII.

June 22. 8.
Albane
Martyr.

CHAP.
XXXVII.

sure is, said the lieutenant, that you should use as little speech as may be upon the scaffold, especially as to any thing concerning his Majesty, wherby the people should have any cause to think otherwise than well of him and his proceedings. For that, said the Bishop, you shall see me order myself so by God's grace, as that neither the King, nor any one else shall have any occasion to dislike what I say. With which answer the lieutenant left him, and so he fell asleep again very soundly for above two hours. When he awaked, he called to his man to help him up. But first of all, he ordered him to take away the hair shirt, which he used, by way of mortification, to wear next him, and to convey it privily away, and instead therof to lay him out a cleane white shirt, and all the best apparel he had as cleanly brushed as might be. As he was a dressing himself, his man perceiving in him a greater curiosity and more care for the neat and cleanly wearing of his cloths than ever he was wont to have before, asked him the reason of this sudden alteration, telling him, that his lordship knew well enough that he must put off all again within two hours, and lose it. What of that, said the Bishop, dost thou not mark that this is our wedding-day, and that it becomes me therfore to be more nicely drest than ordinary for the solemnity of the occasion?

3. About nine of the clock the lieutenant came again to his prisoner, and finding him almost ready, said to him, that he was now come for him. I will wait upon you straight, said the Bishop, as fast as this thin body of mine will give me leave. Then, said he to his man, reach me my ^afurred tippet to put about my neck. O, my lord, said the lieutenant, what need you be so careful for your health for this little time, which, you know, is not much above an hour? I think the same, said the Bishop; but

^a The common or every day's habit of a bishop, at this time, was a white linnen rochet, turned up at the sleeves in winter time with sable: about his neck a black silk tippet, which in winter was lined with sable: and under the rochet a scarlet chimere. *Hody of Convocat.* part i. p. 141.

yet in the mean while I will keep myself as well as I can till the very time of my execution. For I tell you truly, tho' I have, I thank our Lord, a very good desire and a willing mind to die at this present, and so trust that of his infinite goodness he will continue it: yet will I not willingly incommode my health in the mean time one minute of an hour, but will still continue the same as long as I can by such reasonable ways and means as Almighty God hath provided for me.' With that, taking a little book in his hand, which was a Latin New Testament that lay by him, he made a crosse on his forehead, and went out of his chamber with the lieutenant, being so weak that he was scarce able to go down stairs. Wherefore at the stairs foot he was taken up in a chair between two of the lieutenant's men and carried to the Tower-gate, with a great number of weapons about him, there to be delivered to the sheriffs of London and Middlesex, in order to his execution. When they were come thither, they made a halt, till such time as one was sent to know in what readiness the sheriffs were to receive him. During this stop the Bishop rose out of his chair, and stood leaning against the wall, with his eyes lifted up to heaven. In this posture he opened the New Testament in his hand, and said, "O Lord! "this is the last time that I shall ever open this book, let "some comfortable place now chance to me, wherby I, thy "poor servant, may glorifie thee in this my last hour." With that, looking into the book, the first words he espied there were these: "And this is life eternal, that they ^{John, xvii.} "might know thee the onely true God, and Jesus Christ ^{3, 4, 5.} "whom thou hast sent. I have glorified thee on the "earth: I have finished the work which thou gavest me "to do. And now, O father, glorifie thou me with thine "own self." Words most suitable to the Bishop's case and present circumstances. Having therfore read them, he shut the book, and said, "Here is learning enough for "me to my lives end."

4. The sheriffs' men being now ready to receive him,

CHAP. the Bishop was again taken up in his chair and carried to
XXXVII. the scaffold, which stood on that part of Tower-hill which is called East-Smithfield, beyond the postern, he praying to himself all the way, and meditating on the words of the Gospel which he had lately read. When he was come to the foot of the steps by which he was to go up to the scaffold, they who carried him offered to help him up. But, he said, "Nay, masters! seeing I am come so far, let me alone, and you shall see me shift for myself well enough." And so he went up the stairs without any help, and with unusual liveliness and strength. Thus Baily tells this story: And had the Bishop indeed walked from his chamber in the Tower to the scaffold without any help, it would have been very consistent for him to tell the sheriffs men when they offered him their assistance to help him up the stairs of the scaffold, that he was come so far himself. But when, as Baily himself says, the Bishop was so weak as that he was scarce able to go down stairs from his chamber, and even to stand alone, and was therefore forced to be carried in a chair to the scaffold so little a way as it is from the Tower to East-Smithfield, in such circumstances for the Bishop to refuse to be helped in his going up to the scaffold, the ascent to which is not commonly very easy, is scarce credible. On the contrary, Rooper tells us of Sir Thomas More, who was a much younger man than the Bishop, that when he came to the same scaffold, he desired the lieutenant to see him safely up. But be this as it will, as he was going up the stairs, the south-east sun shone full in his face; on which he said to himself, holding up his hands, *Accedite ad eum, et illuminamini et facies vestræ non confundentur*—Come ye unto him, and be ye enlightened, and your faces shall not be confounded. By that time the Bishop was upon the scaffold it was about ten of the clock, where the executioner being ready to do his office kneeled down to him, as the custom is, and asked him forgiveness. I forgive thee, said the Bishop, with all my heart; and I trust thou

shalt see me overcome this storm with courage. Then was his gown and tippet taken from him, so that he stood stript to his doublet and hose in the sight of all the people, who were there gathered together in great numbers to see this execution. In this undress the Bishop spake to them to the following effect. He told them, he was come thither to die for the faith of Christ's Holy Catholic church, and that hitherto he thanked God he had not been afraid of so doing: that he desired the assistance of their praier3, that he might, at the very point of death and the instant of the stroke which was about to be given him, continue stedfast without wavering in any one point of the catholic faith, and free from any fear. He concluded with his prayers for the King and the realme, that it might please God to hold his hand over it, and to send the King good counsel.' This short speech was spoken by him with so chearful a countenance, so much life and gravitie, that he seemed not only free from fear, but glad to die. Besides, he uttered his words so distinctly, and with so loud and clear a voice, as perfectly surprized those who heard him; since he was so much wasted as to look like death itself in humane shape. And no doubt but it must be very affecting to see one of the Bishop's great age and character, who was as it were dying already, brought thither to be put to death by the public executioner. After the Bishop had thus ended what he had to say, he kneeled down on both his knees and repeated certain prayers; among which was the hymn *Te Deum laudamus*, and the 31st Psalm, *In te Domine speravi*. When he had made an end of praying, the executioner came, and bound a handkerchief about his eyes: after which the Bishop, lifting up his hands and heart unto heaven, said a few short prayers, and then laid down his head on the block, where the executioner standing ready with a sharp and heavy ax, cut asunder his slender neck at one blow, which bled so abundantly, that it was

CHAP.
XXXVIII.

wondred so much blood should issue out of so slender and lean a body.

5. Baily tells us, that when the Bishop's head was thus cut off from the body, the executioner put it into a bag and carried it away with him, meaning to have set it upon the bridge that night, as he was commanded; but that Queen Anne having a desire to see the head, it was brought to her; and that she having looked on it for some time, at last by way of contempt said to this purpose: "Is this the head that so often exclaimed against me? I trust now it shall do no more harm;" and with that in a scornful and insulting manner struck it on the mouth with the back of her hand; and in so doing hurt one of her fingers with a tooth that stuck out somewhat beyond the rest, so that this finger was very sore and painful to her for a good while after, and was at last cured with no little difficulty: a scar still remaining in the place which was hurt, there to be seen when her own head was off. But even the writer himself seems to think this story almost incredible; since he calls it a rare example of cruel boldness in that sex which is naturally so fearful. But she being, as Baily tells us, thought to be secretly a Lutheran, and the first that ever opened her mouth to advise the King to alteration in religion, no colours were thought too bad to paint her in. The Queen, no doubt, had often seen the Bishop when he was alive, and needed not therefore to have a view of his head as a curiosity after he was dead. But had she had a real desire to have a sight of it, it's much she did not sooner issue out her orders to have it brought to her; but put it to the hazard of the head's being otherwise disposed of without her seeing it. Besides, her character is the very reverse of her taking any pleasure in insults and revenge; and, as has been before shewn, she was so tender of the Bishop in particular, as that it was owing to her intercession with the King, that he was pardoned that misprision of treason of which he was

Coll.
No. 26.

adjudged guilty by the Act of Attainder of Elisabeth Barton, called the Holy Maid of Kent. Baily adds, that CHAP. XXXVII. the executioner, having put the head in a bag, stript the body stark naked, and so left it on the scaffold, where it continued in that unseemly manner the most part of that day, saving that somebody, for pity and humanity sake, threw a little straw over his privities; that about eight of the clock in the evening orders came from the commissioners to the sheriffs men who watched the bodie to burie it, two of which took up the body on a halbert, and so carried it into the church-yard of Alhallows-Berking, where they dug a grave with the halbers on the north side of it, and without any reverence tumbled the body into it flat on its belly.' But this is a story that appears very improbable. As the King had remitted the sentence of quartering it, the body was of course to be buried. Thus Hall's Chron. when the Duke of Buckingham was executed for treason, the Austin friers took the body and head and buried them. So Sir Thomas More did not ask his friend Sir Thomas Pope to intercede with the King, that *his body might be buried*, but only that his daughter Margaret might be at the *burial* of it. Then what had the commissioners, who tried the Bishop, to do to give orders for his burial? *Their* commission, so far as it related to the Bishop, was expired when once the trial was over. It was indeed a usual thing in those times for such as were poor and necessitous to be buried without a coffin; but is it History of the Isle of Tenet, p. 103. credible that one so much esteemed and honoured as the Bishop was in his life time, should be so entirely abandoned at his death, as to have no body to take the least care of his funerals? His brother, who had been so kind as to minister to his necessities in the Tower, had been dead indeed for some time. But he had other friends who supplied him there with money; and there was Edward White, and his own servant, Wilson, who waited on him. It seems scarce possible that two men should carry the Bishop's body laid across the handle of a halbert

CHAP. so far as it is from East-Smithfield to Berking church.
 XXXVII. But it's surely to the highest degree improbable, that they should dig a grave with a couple of halberts, however in so short a time as is here intimated. About a fortnight after, the Bishop's body, we are told, was taken up and buried with Sir Thomas More's in the Tower chapel. Could this have been done, had the body been buried without a coffin, or stark naked? But Bailly adds, "that the Bishop's head set on a pole on London Bridge grew daily fresher and fresher, the cheeks being beautified with a comely red; which was, it seems, the Bishop's natural complexion; and the face looking as tho' it saw the people passing by, and would have spoken to them; and that therefore it was taken down in the night and thrown into the river.^b Lastly, that the place of the Bishop's burial in Berking church-yard, for the space of seven years after, had neither leaf nor grasse upon it." Now every body knows, that 'tis the custom here in England, not only to parboile such heads as are thus exposed, but to tar them, to prevent their being noisome, and preserve them from the vermin, it must therefore be wonderful indeed if the cheeks of a head thus served were beautified with a comely red. As to its looking as though it saw the people, &c. this I know hath ever been a very common fancy of ignorant people: but that it was therefore taken down, is no more true than it is of Sir Thomas More's head and others which were forced to be removed to make room for more. That the grave in which the Bishop's body was

^b Ex amicorum literis cognovi in Germania inferiore sparsum rumorem quum Episcopi Roffensis caput esset in ponte Londoniensi de more expositum non solum non emarcuisse verum etiam magis effloruisse, vivoque factum similis, ut multi crederent fore ut etiam loqui inciperet: quod in quibusdam factum legimus. Ea res, seu fama quum vulgo increbuisse, sublatum est atque abditum.—At veriti ne idem eveniret in capite Mori priusquam exponeretur aqua ferventi decoctum est quo plus haberet horroris. *Epist. de morte D. Tho. Mori, &c.*

Hæc aliaque multa his similia perscribuntur e Flandria Britannis vicinore, penes alios sit fides. *Epist. de morte D. Tho. Mori, &c.*

buried was bare of grass for the space of *seven*, or even of *seventy* years after, is far from being a miracle in a London church-yard, where it's rather a wonder that grass or weeds should ever be seen, the ground is so often stirred. But however this be, the Bishop's body lay here but a little while; and though Baily records it for a miracle, and an evidence of the Bishop's being a martyr, it was but *four* years before this his execution, that in the case of Petit, an eminent citizen of London, who was suspected of Lutheranism, the very same thing was made a sign or token of heresy. But thus do some of those who call themselves catholics take delight in aggravating the sufferings of their saints and martyrs, and in inventing miracles. In their history of the English persecution, the catholics here in England are represented as sown up in the skins of wild beasts, and exposed to be worried by ravenous dogs. Others are said to have had their bowels gnawed by dormice; and others again to be tied to horse mangers, and there fed with hay: to illustrate which the better, they have pictured these unheard of cruelties on copper plates. I only add, that Bishop Burnet observed, "that few were fond of succeeding the Bishop in his see; for John Hilsey, the next bishop of Rochester, was not consecrated before the year 1537." But it appears by the Bishop's register, that the instrument, wherby the prior and chapter of Rochester intimated to the King their choice of John Hilsey for bishop and pastor of the church of Rochester, is dated August 8, in the 27th year of the King's reign; that Hilsey was consecrated by archbishop Cranmer at Winchester, September 18, 1535, and had the temporalities of the bishoprick restored to him October 4, which is not quite four months after Bishop Fisher's death.

CHAP.
XXXVII.

Andrews ad
Mat. Forti
Librum

resp. p. 152.

de persecu-
tione An-
glicana Ep.
A. D. 1581.

Hist. of the
Reformat.
vol. i. p. 158.

Coll.
No. 41.

* Oc- * Le Neve's
Fasti, &c.
p. 250.

* Johannes Hilsey in Sacra Theologia professor qui consecratus fuerat per reverendissimum in Christo patrem per Dominum Dominum Thomam Dei gratia Cantuar. Archiep. totius Anglie primatem et Metropolitanum apud Venchestre Winton Dioc. die Dominica, viz. 18 die mensis Septem. Anno Domini, 1535. *Reg. Hilsey.*

CHAP. XXXVIII.

1. *The reflections made on the Bishop's trial and execution.* 2. *By Lee, archbishop of York.* 3, 4. *By the archbishop of Spalato.* 5. *By his friend Erasmus.*

Polyd. Ver-
gil, Hist.
ib. 27.
Bellarm.
Apolo. &c.
p. 8, ed.
1610.
Coll.
No. 24.

1. **O**N this execution of the Bishop very different reflections have been made as people have been differently affected. By those of the church of Rome it's censured as very cruel and tyrannical; and the Bishop himself is extolled as a saint and martyr. Accordingly it was observed, that the day of his suffering was the day of St. Alban, the protomartyr of England; and one Darly, a monk of the Charter-house, solemnly attested, June 27, 1534, almost a year before the Bishop was put to death, that he was assured by an apparition, that his prior Haughton and the Bishop were both martyrs, and for their reward were next unto angels in heaven.

Strype's
Ecc. Mem.
vol. i. p.
191.

2. On the other hand Lee, at that time archbishop of York, in a letter which he wrote to the King in his own vindication, told his Majestie, that "his chaplains had heard him say, that he wondred the late Bishop of Rochester was so stiff as to die in the causes of the divorce and supremacy without good ground, they being no causes to die for. Wheras in other high or principal matters of his faith and errors against the same, he had dissembled and been displeased with such as had written against them, for the favour which he bore to the party in whose books they were found. In which cause he should not have dissembled, nor have favoured the party, but rather have died than suffered such errors to grow and gain ground: of which sort there were several in one man's books, which many clerks in divers regions had written against." But he was very much out of humour with the Bishop, because of the intimacy and friendship betwixt him and the learned Erasmus,

with whom Lee was angry, on account of some things he had written in his annotations on the New Testament. In 1520 Lee printed what he called Animadversions on them, which, Erasmus told Fox Bishop of Winchester, were so full of slanders, that he by them more disparaged or lessened himself, than he did *him*. *Batmanson, a Carthusian, and Henry Standish, a Franciscan, afterwards Bishop of St. Asaph, likewise wrote against Erasmus, tho' they had both more wit than to *print* what they had written. Abroad James Lopez Stunica, a Spaniard, and Peter Sutor, a Frenchman, also opposed these Annotations, whom, I suppose, Lee meant by the *many clerks in divers regions*.

3. The great and learned archbishop of Spalato reflected on the conduct of both the Bishop and Sir Thomas More as very indiscreet. "They were, he said, foolishly prodigal of their lives, and deserved not the honour of being martyrs, but to be stigmatized as rebels. "For as to the matter of the divorce, it was plain that Catharine was first married to Arthur, Henry's elder brother: that if Arthur knew her, which cannot be doubted, there was an impediment in the first degree of affinity; which, according to many, was indispensable; and that the marriage thus made with the Pope's dispensation was declared null: that it was likewise plain, that Pope Clement the Seventh had therefore by his brief prepared sentence for the divorce, and given it to his legate to carry into England, and that likewise the catholic universities determined for the divorce; but the Pope, being reconciled to the Emperour, ordered that brief to be burnt, and added many delays of the cause, both that he might bring more money to his court, and that he might adjust and manage his worldly politics with princes: by which means Henry being quite tired

* Joannes Batmansonus Carthusianæ superstitionis Londini præpositus, et magnæ perspicuitatis sophista, scripsit, ab Edvardo Leo provocatus, contra Desiderium Erasmus, lib. i. revocationem ejusdem operis, lib. i. *Bale*.

CHAP. "out, was satisfied with the judgment of his own bishops,
 XXXVIII. "and utterly banished the Pope's usurped authority out
 "of his kingdom. This being the true state of the case,
 "it's asked, why Rochester and More, as if they were
 "wiser than all the bishops and universities, not only not
 "consented to the divorce, as they might have done with
 "a good conscience, but also opposed it, and openly found
 "fault with it, thus provoking the King to anger against
 "them without any obligation of conscience so to do.
 "The matter which they opposed was, at least, seemingly,
 "if not plainly lawful, and a duty. On the contrary *they*
 "had only probability on their side, and could not be
 "certain of their point: and by their opposition they
 "made the royal offspring, and consequently the succe-
 "sion doubtful and uncertain. Their cause was therefore
 "truly carnal, or of a personal nature, or for the sake of
 "promoting the party of the Pope. For even a moral
 "but christian truth, where the truth is plain and mani-
 "fest, it is glorious to die: but to choose death for an
 "opinion and a probability only, is foolish. John the
 "Baptist is celebrated for a martyr because, according to
 "the opinion of some, he defended a plain truth, *viz.* that
 "it is not lawful to live in adultery, and much less with
 "the wife of a brother who is yet alive. But, if Herod's
 "brother, the husband of Herodias, was not living, the
 "truth was open and clear to John, that a brother may
 "not marry his brother's wife but in the case which the
 "law allows, *viz.* to raise up seed unto his brother. And
 "so far it is plain, that the marriage betwixt Henry and Ca-
 "tharine, his brother Arthur's wife, notwithstanding Pope
 "Julius's dispensation, was unlawful and null; and conse-
 "quently the divorce was just and necessary. If therefore
 "Rochester and More would have imitated John the
 "Baptist, they ought not to have died for opposing the
 "divorce, but for maintaining it. For this reason likewise
 "they defended a carnal cause, that is, an unjust one, at

^b Non licere adulterium, ac multò minus cum fratris viventis uxore.

"least probably, *viz.* Catharine's living with King Henry CHAP.
"as his wife." XXXVIII.

4. As to their refusal to acknowledge the King to be the only supreme head in earth of the church of England, the Archbishop said, that "all subjects, especially being required to do so by law, are obliged to acknowledge their king as supreme superintendent and governor in ecclesiastical matters, so far as they concern the outward regiment of the church: and that since the Pope has no spiritual ecclesiastical authority which is properly episcopal without his own diocese of Rome, and has by force intruded on other dioceses, and tyrannically subjected to himself not only bishops, but kings, and all the laws humane and divine, it was an heroic act of King Henry VIII. to deliver his kingdome from this tyrannie, and to drive from thence and utterlie abolish the papal usurped power which had been so long tolerated, and by vertue of his supreme royal authority, which he received from God, to restore his churches to that pristine state and libertie which they had granted to them by Christ. Therefore neither the Bishop, nor Sir Thomas, nor those monks who suffered for opposing this supremacy, could by right resist a power so good and just; nor, without being guilty of the crime of rebellion, deny the King's authority of restoring the churches of his kingdom to their true and primitive liberty, and of taking them out of the power of the Pope, who was an unjust invader of them. But that if they were so very desirous to do something in behalf of the dignity of the see of Rome, they might, perhaps, have interceded for the ancient patriarchal right of the Bishop of Rome, by

* — I never did put the Pope for part of the definition of the church, defining the church to be *the common known congregation of all christian nations under one head*, the Pope. There might be, peradventure, made a second question, whether over all the catholic church the Pope must needs be head and chief governour, and chief spiritual shepherd; or else, that the union of faith standing among them all, every province might have their own chief spiritual governour over itself, without any recourse unto the

CHAP. "which, in some particulars only, the bishops, but not the
 XXXVIII. "laity, are made subject to him. But however, since the
 "Pope has exercised so intolerable a tyranny without the
 "countenance or support of any law divine or humane,
 "but only thro' the laziness and superstitious pannic of
 "the churches, not only to the shaking, but even to the
 "suppression of the supreme political power, he has
 "really deserved that total exclusion of even his patriar-
 "chal eminence among the English, if not to an irrepara-
 "ble extinction, yet at least to a suspension." The Arch-
 bishop concluded, that "however its true in fact, that the
 "Bishop, Sir Thomas, &c. chose rather to part with their
 "lives than with their opinions."

Epistola de
 morte D.
 Tho. Mori
 et Episcopi
 Roffensis,
 &c.

5. Others thus moderated in this affair. They thought the King should have been content with inflicting on the Bishop and Sir Thomas a milder punishment. It was very plain, they said, that these men, if they were at all to blame, had not offended maliciously against the King, but been misled by a simple and sincere conscience, by which they were persuaded, that what they maintained was holy, religious, honourable to the King, and for the interest of the kingdom. A demonstrative proof of this was, they said, that neither of them aspired to the crown himself, or attempted to claim it for any one else; nor moved any sedition, nor raised any forces, nor so much as uttered a word that savoured of hatred and conspiracy: so far from it, that they desired to say nothing, if it had been permitted to them so to do, and patiently and contentedly suffered death, praying for nothing else but prosperity to the King and kingdom. Besides, they observed, that it was usual to find a respect shewn to extraordinary virtue and excellent learning even among barbarous nations, of which Plato and Diogenes are particular instances, who

any superioritie recognised to any other outward person. And the Pope were or no Pope, but, as I say, provincial patriarchs, arch-metropolitans, or by what name soever the thing was called, and what power he or they should have among the people.—
 Works, p. 614, col. ii.

both fared the better for their being philosophers. That, CHAP.
XXXVIII.
as the kindness of princes to learned men procures them a great deal of honour, so their being treated by them hardly reflects much on them, and gets them a great deal of hatred and ill will; especially when they who are so ill-used by them are men who have made themselves known by their writings, and whose memory on that account will be grateful to posterity. Since who is there now that does not abominate Anthony, who cut off Cicero's head? Who does not abhor Nero, who put Seneca to death? Nay, is it not a lessening of even Augustus's his character, his banishing the poet Ovid? The clemency of those in power is always well received; but then especially is it highly applauded when its shewn to men of note and character, and who have deserved well of the common wealth; so that a prince in sparing, or being merciful to men of piety and learning, and who on that account have rendred themselves, as it were, immortal, do also consult their own honour and reputation. Every country was, they said, to a valiant man his own, and banishment had often proved to the advantage of great and famous men: but the reproach of death was grievous. When Lewis XII. King of France, was preparing for his divorce from Mary,* the daughter of Lewis XI. the thing displeased some good men; among whom John Standock, and a disciple of his, one Thomas, only said in their sermons, that they must pray to God to inspire the King with good counsel. What is said to the people has the appearance of being seditious, and these men had offended against the King's edict: yet the King only banished them, and did not so much as sieze on any thing they had; and when the business was over, called them home again. By which moderation that prince both took care of having his own design effected, and avoided a great deal of reproach, they being both of them divines, and very highly esteemed for their holiness. On the other

* Jeanne.

CHAP. side it was said, if they had been to advise the Bishop, &c.
 XXXVIII. they would have persuaded them not to expose themselves before all the world to a storm they saw coming with such violence. The wrath of kings was, they said, a boisterous thing to deal with; so that if it was opposed at all adventures, it raised greater troubles. Wild horses, like thunder, were not to be managed by force, but by clapping them on the back, or stroking them with the hand. Sailors do not strive against an outrageous storm, but either lie by, or steer another course, in hopes of having better weather. Many things are mended by time, which would never be made better by force. Human affairs are always fluctuating; but whenever any notable or fatal change happens, many are endangered who do not give way to the whirlwind: as, when Julius Cæsar opened the door to tyrannie, and the Triumviri with their joint forces took possession of the empire of the world, a great many very valuable men were destroyed, among whom was the great Tully. They who are the servants of monarchs must dissemble in some things; that if they cannot obtain what in their opinion is best, they may yet however some way moderate their princes' passions. But some one will say, we ought to die for the truth. But not for any truth. If a tyrant shall command, either to abjure Christ, or to lay down our necks, we ought to lay our necks down. But its one thing to be silent, another to abjure. If it be lawful to dissemble your being a christian, without great scandal, it would be much more lawful to be silent here.

Collier's
 Eccl. Hist.
 vol. ii.

6. Pope Paul seeing himself so thoroughly neglected by the King, and his honours perfectly despised, immediately thundred against the King in a very extravagant bull published by him, a copy of which is in Sanders's book *Of the English Schism*. In this instrument, after having given the Bishop, whom he called cardinal, a very ^d great character, he admonished the King to leave his errors, and repent of his sins, and summoned him to

p. 107, 108,
 edit. Ingol-
 stadii.

^d Sanctissimum Roffensem Episcopum.

appear within 90 days before his Holiness at Rome, either in person or by proxy, to stand to the judgment of that court. In case of a refusal, he was after the term prefixed to be excommunicated, his kingdom put under an interdict, and his subjects to pay him no allegiance; the ecclesiastics were forthwith to depart the kingdom, and the nobility and gentry to form themselves into an army, and raise forces to drive the King after them. All other christian countries were forbidden the liberties of intercourse and commerce with the English; foreign kings and princes were exhorted in the Lord to treat Henry and his abettors as rebels to the church, and to undertake a holy war against them, till they had brought them to submit to the apostolic See; to encourage them to which, all their alliances, treaties and engagements, of what kind soever, with the English were declared null and void. For the more effectual apprehending of those who stood firm to the King, the Pope, by this bull, granted letters of reprisal to all christendom in general, so that any body might sieze them that could, and make slaves of their persons, and take their effects for their own use. An order was likewise directed by the bull "to all the prelates to excommunicate the King and his abettors publicly in their several churches; and all persons who should hinder this bull from being published or executed were laid under the same censures. Lastly, that the King and his friends might not pretend ignorance of the Pope's resolution, this instrument was ordered to be published in the churches of the several places which were nearest to England, and fixed on the folding doors of their principal churches, especially those of Tournay, Bruges, and Dunkirk." It does not appear, that this extraordinary bull came any further, or, that it was ever published here in England. *Sanders tells us, if any

CHAP.
XXXVIII.

* Evulgatis his pontificis litteris, dum tempus in eisdem Henrico assignatum quo vel delicta emendaret, vel Romæ causam diceret, expectaretur, acciderunt in Anglia ejusmodi rerum mutationes et inexpectatæ varietates,

CHAP. credit may be given to so partial and fallacious a writer,
 XXXVIII.

that there happened in England such changes and unexpected varieties, meaning, I suppose, the passing the Act of the Six Articles, and the persecutions thereupon, as gave the Pope and other foreign princes new hopes of the King's amendment and return to his obedience to the holy see: on which account the Pope, partly of his own accord, and partly at the entreaty of many princes, forbore executing this his sentence for many years. But however this be, it was thought proper, it seems, to make some answer to what was laid to the King's charge in this bull; and in particular, to defend the King's proceedings against the Bishop. Accordingly a reply to it was drawn up in Latin, of which it was supposed Gardiner Bishop of Winchester was the author. In it the King's conduct as to Fisher and other matters was justified, and some of the Pope's rough language returned upon himself.

Lord Herbert, History of K. Hen. VIII. p. 392.

Strype's Mem. Eccles. vol. i. p. 233, 234.

7. The King of France, it's said, told the English ambassador, that he looked upon the late executions of Fisher and More as very rigorous, and carrying things to great extremity. Upon which the ambassador was ordered to inform that prince, that these executions were not so extreme and rigorous, considering the treasons and conspiracies practised *within* and *without* this realm to move and stir up dissension, intending both the destruction of the King and subversion of the kingdom: which had been so manifestly proved before them, that they could not deny it.

ut tam Papæ, quam cæterorum omnium principum animos, ad novas spes de Henrici emendatione erigerent; quo etiam factum est, ut pontifex, partim sua sponte, partim etiam multorum principum rogatu, ab exequenda hac sua sententia ad nonnullos annos se cohibuerit, plurimaque paternæ charitatis ac benevolentię officia in Henricum exercuerit, licet frustra. *Sanderi de origine, &c. Schismatis Anglicani*, p. 111.

CHAP. XXXIX.

1, 2, 3. *Books written by the Bishop in the Tower, &c.*

1. AS the Bishop was a long time prisoner in the Tower, almost fifteen months, so during the first part of this confinement he seems to have been allowed the use of his books, and of pen, ink and paper, for his diversion, though afterwards, on a suspicion of his using that privilege in writing against the King's divorce, &c. it was utterly denied him. Whilst he enjoied this liberty he wrote, for the use of his sister Elisabeth, who was a professed nun of the order of the Augustine-Eremites in the nunnery at Dartford, in the Bishop's own diocese, a small tract, which he called *A method of attaining to the highest perfection of Religion*, in which he compared the life of a religious to that of a *hunter*. The offices of a religious were, he said, many watchings, tedious fastings, often going to the quire and joining in the singing there used; a voluntary abdication of riches, honours, and pleasures; an avoiding all secular and useless discourse; a practising obedience and submission to superiours, and an easy and affable conversation with their equals. But now these things, he observed, were done more abundantly by huntsmen, purely for the delight they took in their game, than by many nuns for the love of Christ. Thus, for instance, the nuns in the quire spent all the forenoon in singing, which certainly could not be done without taking some pains: but the hunter in the fields, though he did not sing, yet halloed and made a noise perpetually, and was all the day long encouraging his dogs with speaking to them as loud as he could, which must necessarily be a greater labour.

2. To the same sister the Bishop had before sent a sermon of his *Of our Lord's passion*. In a letter to her

CHAP.
XXXIX.

prefixed to it, he called her his most beloved sister ; and observed to her, that there was nothing that had a greater force and efficacy towards procuring a good life, than that when the soul perceived itself sluggish, dry, without devotion, and heavy and drowsie as to prayer, and the other offices of piety, it should frame some fruitful meditation, and so agen raise and enliven itself. For which reason, he told her, he had composed this meditation, which he earnestly desired, that for his sake, and her own soul's sake, she would read through at such times as she perceived herself very heavy and dull as to the undertaking any good work. He next advised her, if she desired to read it with profit, to do these *three* things : 1. To consider herself in such circumstances, as that in a little time she must die, and that her soul, having left this mortal body, will immediately pass from hence never to return agen, either to amend by repentance what has been ill done, or even to make any abatement of it. 2. Never to come to the reading of it but when she was alone and out of company, where she might be very attentive, and with a mind wholly free and discharged from all the troubles of other thoughts and cares. 3. When she was about to undertake this meditation, first of all to lift up her soul to God, imploring his divine Grace and assistance, that the reading which she intends may not be unfruitful, but may produce, and bring to effect by his most holy will, the resolution of leading a devout life : and to that end, to premise some ejaculations of this nature, *O God, make speed to save me : O Lord, make hast to help me. Glory be to the Father, &c.* This sermon or meditation the Bishop thus begun : “ The prophet
chap. ii. “ Ezekiel, said he, relates, that he saw a book spread
“ before him, which was written within and without, and
“ there was written therein lamentations, and mourning,
“ and wo.” Truly this was a wonderful and very amazing book, and the prophet drew from it much consolatorie knowledge and sweetness, since he adds in the following

chapter, it was in my mouth as honey for sweetness. This book may signifie a crucifix ; which without doubt, the Bishop said, was a wonderful book, as hereafter should be declared by him ; in which, if we very often exercised our force of admiration, we should obtain both wonderful comfort and knowledge.

CHAP.
XXXIX.
chap. iii.

3. The Bishop likewise wrote a treatise of the necessity of prayer ; of the three principal fruits of prayer, and of the manner of praying : which, together with the other two just before mentioned, seems to have been written in English, and afterwards translated into Latin. There is likewise a little manual of the Bishop's in Latin, entituled, *Psalms or Prayers of John Lord Bishop of Rochester*. Dupin and Moreri tell us, that the Bishop's works were printed separately in England ; but there needs no more to be said, than what has been before related to shew, that this is a mistake. After the Bishop's death, we are told they were collected by *Francis Birckman, a bookseller, who took care to have them printed from the author's own manuscript. They were afterwards published again in one volume in folio with this title :

*R. D. D. Joannis Fischerij Roffensis in Anglia
Episcopi Opera, &c. Wirceburgi apud Geo.
Fleischmannum, Anno CIO IO . XCVII.*

Besides these, Baily tells us, the Bishop composed a large volume, containing in it the whole history and matter of the King's divorce. This volume, it seems, he, some time before his trouble, delivered with his own hand to Walter Boxley, also Philips, then prior of the church of Rochester, and afterwards, on the dissolution of the priory, dean A.D. 1540. of the said church. But he in King Edward VIth's reign having notice, that some commissioners were coming to search his house for books and papers, &c. burnt this MS. of the Bishop's, for fear he should be brought into

* — quos quidem libros olim Franciscus Birckman piæ memoriæ bibliopola integerrimus de authoris ipsius in Anglia manu excudi curavit.

CHAP. trouble about it; of which, Baily says, he afterwards very
XXXIX. heartily repented. In 1536 was printed at Cologne a
Dr. Tho. book of the Bishop's, entituled *De fiducia Dei*. But
James of because it is against the papists in some points, therefore
the Cor-
ruption of Greg. Capuchine, in his index of Naples, said, that John
Scripture, &c. p. 465, Calvin was the author.
edit. 1688,

CHAP. XL.

1. *A description of the Bishop's person.* 2. *His character.*
3. *His friends, &c.*

1. **BAILY** thus describes the Bishop's person. In the stature of his body he was tall and comely, exceeding the common and midling sort of men, for he was six feet high, and being therewith very lean and slender, was nevertheless upright and well shaped, strait, large-boned, and strongly sinewed : his hair was naturally black, his eyes large and round, and of a dark gray ; his forehead smooth and large ; his nose of a good and even proportion : his mouth was somewhat wide, and his jaws large, as one ordained to speak much, wherin was notwithstanding a sort of comeliness : his complexion somewhat tawny, mixed with many blue veins : his face, hands, and all his body were so bare of flesh as is almost incredible ; which was occasioned in a great measure by the strict abstinence and penance to which he had long accustomed himself, even from his youth : his aspect was grave and severe, and he was so very mild, temperate, and modest in his address, as that not only by his equals, but even by his superiours he was both feared and honoured.

2. As to the endowments of his mind, he was certainly a very ^alearned and great man, and would have been a greater had he not been so much addicted to the superstitions in which he had been brought up. He was a good master of the Latin tongue, and had some knowledge of the Hebrew and Greek ; neither of which languages did he learn till he was pretty well advanced in years. He was much admired by the most learned foreigners abroad, and here at home he was the very oracle of the English

^a This Bishop was of very many men lamented, for he was reported to be a man of great learning, and of very good life. *Grafton.*

CHAP. XL. bishops and clergy: even his adversaries gave him the character of the sharpest disputant, and the best Latin writer of all those who wrote against Luther. The great Erasmus is perfectly in raptures whenever he mentions him; so as to seem to want words to express himself concerning him. He stiles him a man without comparison, at that time, either for integrity of life, or learning, or greatness of mind: one to be commended not only for his admirable integrity of life, but also for his deep and profound learning, and his incredible civility; a man eminent for his integrity, a pious bishop, and a divine of uncommon learning. When he mentions his episcopal character, he represents him as one adorned with all kinds of episcopal virtues; and when he speaks of him as Chancellour of the University of Cambridge, he describes him as an ornament to that famous school of learning, since in every respect he acted the part of an excellent governour.

Gerhard,
Loci Com.
tom. ii. p.
196. col. 2.

3. The Bishop had the honour, as well as the happiness of being much revered and beloved by King Henry VII. and his mother, the Countess of Richmond, &c. who very much confided in him, on account of her long experience of his goodness and probity; and as much admired him for his preaching, in which he was thought to be superiour to any of that time. To their sacred memories was the Bishop alwais very grateful. He agen and agen remembered in his writings the King's promoting him so young to the bishopric of Rochester without his own seeking, or the application of any one else, and took care solemnly to remember it in his own private statutes which he provided for St. John's College. The like grateful remembrance he appointed of the King's mother, to whom, he said, he was as much obliged as ever he was to his own mother, and therefore he ordered, that *her* soul and the King's should both be especially recommended in those masses which he had appointed to be said for his own.

4. He had the same good fortune of being in the high esteem of King Henry VIII. Insomuch, that Cardinal

Pole afterwards told the citizens of London, that before the Bishop had incurred his displeasure by opposing his divorce, &c. there was not a man of the church of England whom he could so well have trusted in matters of conscience, or in any religious doubt, as the Bishop of Rochester, he had so good an opinion of his virtue, learning, and judgment. But the Bishop had unhappily entertained very high notions of the plenitude of the papal power, and being a man of a severe life, his temper was naturally sharpened, and rendered more rigid and uncompromising, so as to deserve what Mr. Secretary Cromwel said of him, that he was noted to be very zealously affected in all matters into which he once entred. This shewed itself a little too much in his controversial writings; particularly in his two books against Faber and Velenus, of the one only Mary Magdalene, and St. Peter's being at Rome, insomuch, that even his friend Erasmus found fault with him for it, and thought he treated his adversaries too coarsely, and with too little humanity. But it's very truly observed, that the best men have their resentments and piques as well as others; and that this is their weakness: for that severity which gives men generally a reputation of holiness, tho' it mortifie some irregular heats, yet is apt to dispose men to peevishness; and what kills some weeds, becomes a nourishment to others. More inexcusable was the Bishop's pleading for, and justifying the use of force and violence, even to the putting men to death, in matters of conscience, or what was adjudged to be heresie; since in pursuit of these cruel and unchristian principles he seems to have been very active in detecting heretics, and led to practice great severities against them. Thus we find him joined with Clarke, Bishop of Bath, &c. in the examination of Dr. Barnes. Fox says, he was a great enemy and persecutor of John Frith, whom he and Sir Thomas More caused to be burnt: meaning, I suppose, that the Bishop was one of the prelates who examined that learned young man; for he knew well enough, that

CHAP.

XL.

Strype's
Eccles. Mem.
vol. iii. Ca-
tal. p. 246.

Maurice,
Vind. of the
Prim.
Church,
p. 173.

Acts and
Mon. vol. ii.
p. 358,
col. 1.

CHAP. Bishop Fisher was neither the bishop that condemned
XL. him, nor one of his assessors.

Loci
Comm. 5. By the very learned Lutheran Dr. John Gerard, is
to.v. p. 508. the Bishop reckoned among the more moderate papists;
col. 1. who, he says, have a more honourable opinion of Luther

than the Jesuits. For proof of this, he refers to a letter of the ^bBishop's to Erasmus, wherein, he says, the Bishop wonderfully praises Luther's doctrine, and says he should be glad to meet him, if he could conveniently do it, to ask him about some things which, at present, gruelled him; adding, that Luther was to a miracle skilled in the Scriptures, and that he only wished he had said nothing of the Pope. But this letter I neither meet with in Erasmus's great volume of letters, nor any where else hitherto.

6. The Bishop's great thirst after divine knowledge was sufficiently evidenced by his attempting at so great an age to learn the Hebrew and Greek languages, in order to the better and more effectual studying of the Holy Scriptures: and his desire of promoting human learning was shewn by his having courage enough to go out of the common road, and to direct his Lady's charity, instead of its being wasted on those nurseries of idleness and wickedness, the religious houses, as they were falsely called, to be rather bestowed on the two Universities, for the education of divines, and training up good preachers. He had certainly a very large and noble soul; which would have exerted itself with yet more force had it not been so much cramped with the foolish superstitions of the age in which he lived. But to these he was too much devoted: witness his quoting so gravely the lying wonders, and idle visions and revelations of hysterical nuns, in his answer to Oecolampadius, and his being so easily deceived by the nun of Canterbury. His generosity was

^b Episcopus Roffensis in Epistolâ ad Erasmum Lutheri doctrinam mirificè laudat, ac se cupere alie illum convenire, si possit commodè, ut nonnulla ex illo quæreretur quæ ipsum malè habebant: addit etiam fuisse Lutherum Scripturarum ad miraculum usque peritum optat modò ut de papa tacuisset.

very great, and almost boundless, as appears not only from his daily acts of charity in his own diocese and in private life, but from his public benefactions to Rochester Bridge, and the two colleges of Christ's and St. John's at Cambridge.

CHAP.
XL.

7. It's commonly said, that King Henry VIII. would have translated him from Rochester to the great bishopric of Lincolne or Ely, but that *he*, following the rule of the primitive church, refused it; and that it was a common saying with him, that he would not change his little poor old wife, to whom he had been so long wedded, for the wealthiest widow in England. But whatever reasons he might have for not accepting of any such favour from King Henry VIII. he himself own'd, in effect, that he would not have refused it from his Majestie's father. Since, as I've before observed, he tells us, that the Lady Margaret so far favoured him, as to do all she could to get him a fatter bishopric; but not being able to effect it, she in lieu of it, and to make him some recompence for that disappointment, gave him a considerable sum of money for his own use. At the time of his execution he was at least 70 years old; and, according to the reckoning of some, 80; and had sat in the see of Rochester near ^c31 years: which one would have thought should have been a reason for the King to have shewed him more mercy, and not to put a man of his character to death, who was so near dying of himself according to the course of nature. But this seems to have been in good measure, if not entirely, owing to the Pope's making the Bishop a cardinal, and projecting to send him the hat in so pompous and solemn a manner; wherby the King's jealousy was raised, of some designs against him being on the anvil. A proof of which seems to be the Bishop's being condemned to perpetual imprisonment in the very same session of parliament in which the Acts

Rymer's
Foedera,
to. xiv.

^c Collier says he sate here 33 years. *Eccles. Hist.* vol. ii. p. 97, col. 2: but this is one of those numberless mistakes made by that learned historian, who is so very severe and uncandid in censuring the mistakes of others.

CHAP.
XL.

were passed for the King's supremacy, and making the denial of it high treason. Others say, that the King apprehended a rebellion would be raised by the preaching of the monks against his proceedings; one of whom went so far as to threaten the King with the dogs licking his blood, as they licked the blood of King Ahab; and that therefore some examples of rigor and severitie were necessary to keep them in subjection; and that this occasioned his altering the former sentence of perpetual imprisonment, and putting him to death in so hasty and precipitate a manner.

CHAP. XLI.

1. *An Act for reviewing the Canon Law, &c.* 2. *Queen Anne: an account of her.*

1. **T**HE same year passed an Act for appointing two ^{27 Hen.} and thirty persons of both houses of parliament, one half ^{VIII. c. 15.} of the clergy, and the other half of the laity, to be chosen ^{A.D. 1535.} by the King, to review and examine the several constitutions, ordinances and canons, provincial or synodal, which had heretofore been enacted, and were thought to be not only very prejudicial to the King's prerogative royal, and against the laws and statutes of the realm, but over much burdensome to the King and his subjects; and that such of them as the King and major part of the commissioners should not approve, or think worthy to be continued, should from thenceforth be abolished: and on the other hand, those of them which they judged fit to be kept and obeyed, they should be from thenceforth executed within this realm; so that the King's most royal assent under the great seal was first had to the same. For this there was certainly very great occasion. This had been ordered two years before; but, it seems, nothing had yet been done in it. The canon or pontifical law was, by the adding laws ^{Reformat.} to laws, decrees to decrees, and decretals to them, grown ^{LL. Eccles.} to an excessive bulk; which seemed on purpose to be ^{Præfat.} thus contrived, that people might, even unwittingly, be entangled in those canonical articles, and so a larger profit might accrue to the Pope by dispensations and condemnations. And though in the consistories there was some appearance of justice, and of an inspection into the manners of men, yet were matters so managed, that impunity was to be had at any time for money; and it was plain, that the canonists and officials were more intent on their own gain, than on the promoting of vertue or correction of peoples manners. But this excellent design of reforming

CHAP. these laws came to nothing. By an Act passed for that
XLI.

35 Hen.
VIII. c. 16.

purpose about eight years after, it appears, that divers urgent and great causes and matters had occurred, whereby the nomination and appointment of the said two and thirty persons to examine these laws by the King's highnesse had been omitted, and the view and examination of the said canons, &c. had not been had, nor made according to the tenor and effect of the former Act. It was therefore agen enacted, that the King should have power to nominate 32 persons of the clergy and laitie, to peruse and examine the canons, &c. and, that this he might do at any time during his life, and from time to time fill up the vacancies that should be among them by death : and that such ecclesiastical laws as should be devised and made by the King and those 32 persons should, after they were declared by the King's proclamation under his great seal, be only taken, reputed, and used for the King's laws ecclesiastical of this realme. The King therefore, according to the powers given him by this Act, chose two and thirty persons, who, as it appears by the King's letters, drew up a body of laws, which he declared it was his will should be observed and received by all his subjects and liegemen in general, of what sort and condition they were ; and by the archbishops, bishops, abbats, clergy, dukes, marquesses, earls, barons, knights, and gentlemen in particular. But for what reason, or upon what account, whether through the iniquity of the times, and the torrent of wickedness running too strong to be checked, these laws were so effectually quashed, that I can't find there's so much as any copy of them remaining. But in the next reign was this good design again taken in hand, though to as little purpose as it had been attempted before. In the session of parliament that met by prorogation, November 4, 1549, it was enacted, that from thenceforth, during *three* years, "the King should have full power to nominate and assign, by the advice of his council, 16 persons of the clergie, wherof four to be bishops, and 16 of the tempo-

raltie, wherof four to be learned in the common lawes of this realme, to peruse and examine the ecclesiastical lawes of long time here used, and to compile such lawes ecclesiastical as should be thought to his Majestie and council convenient to be used within this realme in all spiritual or ecclesiastical courts and conventions; and that such lawes ecclesiastical, so compiled by the said 32 persons, and set forth, &c. by the King's Majestie's proclamations with the advice of his council, under his great seal, should, by vertue of this Act, be only taken; reputed, practised, and put in use for the King's ecclesiastical laws of this realme." But the time allowed for this by the Act was two-thirds of it past before any thing was done in execution of it. The King's letters patents are dated at Westminster November 11, in the *fifth* year of his reign. By them he commissioned **eight* of the two and thirty he had nominated to prepare a draught of ecclesiastical laws; to be exhibited to himself in writing, that he might transmit them to the residue of the 32 together with themselves, for their further ratification and perfection. Accordingly, his Majestie required, that, immediately after their receiving these letters, they should meet together, and make that dispatch and expedition in answering them which the cause required. Fox tells us, that the 32 persons nominated by the King, &c. were to be distributed into four classes, in each of which were two bishops, two doctors of divinity, two civilians, and two common lawyers; by whom it was agreed, that what was concluded on and determined in one class, should be transmitted to be considered and inspected by the others. Although of all this number there were eight principally chosen, to whom was committed the making the first draught of this work by way of preparation. These eight executed their commission, and drew up a body of ecclesiastical laws, collected by them

CHAP.
XLI.

* Archbishop Cranmer, Bishop Goodrich, Dr. Richard Cox, Dr. Peter Martyr, William May, and Rowland Taylor, doctors of law; and John Lucas and Richard Gooderike, barristers at law.

CHAP. from all the best laws, not only ecclesiastical, but civil.
 XLI.

Mense,
 Aprili.

These they committed to writing; but, I suppose, the *three* years allowed by the Act were lapsed before this draught could be ratified and brought to perfection by all the 32; and the King dying soon after, this important affair was dropped, and never afterwards resumed. However, to let us see what an opportunity was now lost of perfecting the reformation of this church, by restoring the primitive discipline, as well as the doctrine and worship, a copy of this draught falling into the hands of that diligent and unwearied assertor of the truth, Mr. John Fox, he in the year 1571, published it with this title: *Reformatio Legum Ecclesiasticarum ex Autoritate primum Regis Henrici VIII. inchoata: Deinde per Regem Edovardum VI. provecta, adauctaq; in hunc modum: atque nunc ad pleniorum ipsarum reformationem in lucem ædita.* To which he præfixed copies of King Henry's proclamation and King Edward's commission.

Oct. 4,
 1535.

2. If the new Queen, Anne, was so great an enemy to Bishop Fisher as she is represented, and did in so indecent a manner insult him after he was dead, it's certain it was not long before she herself lost her life in the same manner. Her favouring the Lutherans, as *they* were now called who promoted a reformation here in England, was no secret. They openly made their court and addresses to her: it was by her interest with the King that Coverdale, &c. obtained his licence to print the Bible in English. He dedicated it to the King, and thus addressed himself to him. "Considering now, most gracious prince, the in-
 "estimable treasure, fruit, and prosperity everlasting that
 "God giveth with his Word; and trusting in his infinite
 "goodness, that he would bring my simple and rude
 "labour herein to good effect; therefore as the Holy Ghost
 "moved other men to do the cost hereof, so was I bold-
 "ened in God to labour in the same. Again, consider-
 "ing your imperial Majesty not only to be my natural,
 "sovereign liege lord, and chief head of the church of

“ England, but also the true defender and maintainer of
 “ God’s laws, I thought it my duty, and to belong to my CHAP.
XLI.
 “ allegiance when I had translated this Bible, not only to
 “ dedicate this translation unto your Highness, but wholly
 “ to commit it unto the same. To the intent, that ^bif any
 “ thing therin be translated amiss (for in many things we
 “ fail, even when we think to be sure), it may stonde in
 “ your Grace’s hand to ^bcorrect it, to improve it, yea, and
 “ cleane to ^breject it, if your godly wisdom shall think it
 “ necessary.” The same learned man, this year or the
 next, dedicated to his Majesty a translation of the New
 Testament, made by him from the Latin Vulgate, the
 Latin being printed in one column, and the English in
 another. “ This, he tells the King, he submitted with all
 “ humbleness and subjection, and all other his like doings
 “ to his Grace’s most noble Majesty : not only because he
 “ was bounde so to do, but to the intent also, that through
 “ his most gracious defence it might have the more free-
 “ dome among his obedient subjects, to the glory of the
 “ everlasting God.” This seems to intimate, that at this
 time these labours were not wholly unacceptable to the

^b Of this it’s doubted by a late writer, whether such a sort of compliment to a prince not altogether reformed be irreprovable in a christian reformer, who ought to avoid all appearance of flattery. But there seems to be no more or greater deference paid to the King here than what is expressed by the archbishops, bishops, &c. in their preface to the *Institution of a christen man*; where they thus speak to his Majestie. “Albeit, most drade and benigne soverayne lord, we doo affyrme by our lernynges with one assent, that the said treatise is in all poyntes soo concordant and agreable to holy Scryp- ture, as we trust your majestie shall receyve the same as a thyng moste sincerely and purely handled to the glorye of God, your grace’s honour, the unite of your people, the whyche thynges your highnes, we may well see and perceive, doth chiefly in the same desyre ; yet we do most humbly submit it to the mooste excellent wysedome and exacte judgment of your Majestie to be recognysed, oversene, and corrected, yf your grace shall fynde any worde or sentence in it mete to be changed, qualified or further expounded, for the playne settinge forthe of your highnes moste vertuous desyre and purpose in that behalfe : wherunto we shal in that case conforme ourselves, as to our most bounden duties to God, and to your highnesse apperteyneth.”

CHAP.
XLI.

MS. Geo.
Wyat, Esq.
Coll.
No. 26.

King. The Queen likewise put into his hands a book of Tyndal's, entituled *The Obedience of a Christian man*, part of which he read, and gave this character of it, "that it was a book fit for him and all kings to read." This the popish party could not bear; and knowing the King's own inclinations were still biassing him to adhere to their opinions and practices, they watched all opportunities to set him against the Queen. She growing big again, and not so fit for dalliance, this was thought a proper time to steale the King's affection from her. Unkindness accordingly grew; and she laying it too much to heart, was brought to bed before her time, with much hazard of her life, and of a male child, dead borne, to her greater and most extreme grief. Being thus a woman full of sorrowe, it's said, the King made her a visit, and complaining to her of the loss of his boy: she, out of the abundance of her grief, laid the blame upon his unkindness. This the King resented more than he ought to've done, considering her case, and took more hardly than, perhaps, otherwise he would, if he had not been either too much overcome with grief, or not so much alienated in his affections from her; and therfore in a passion told her, he would have no more boys by her. From this time the King's displeasure towards the Queen more and more increased, till at last of a sudden she and her friends were sent to the Tower; where in the entry of the gate, the Queen falling down on her knees, *O Lord*, said she, *help me, as I am guiltless of this wherof I am accused*. She was ordered to be tried in the Tower in a private manner; though the crimes laid to her charge were made publick enough. However, even her very accusations, the most and principal of which, it's plain, came from Rome, that nest of treachery and forge of cunning, spake and pleaded for her: all of them carrying in them open propf to all men's consciences of mere matter of quarrel, and indeed of a preparation of some hoped for alteration. Accordingly it was then reported, that some of even those honourable persons who

were her judges afterwards said, that the Queen in her defence had cleared herself with a very wise and noble speech. The modesty of her countenance pleaded her innocence, so that all that saw and heard her believed her not guilty; and the magistrates of the city, and several others who were there said, they saw no evidence against her; only it appeared that the King was resolved to be rid of her. When she was found guilty, and sentence was given, that she should be burnt, she appeared not at all terrified, but lifting up her hands to God, she said, *O Father! O Creator! thou who art the way, the truth, and the life; thou knowest that I have not deserved this death.* Then addressing herself to her judges, she made the speech afore mentioned, wherein she declared she was so entirely innocent of all the accusations which had been brought against her, that she could not ask pardon of God for them; and had been always a faithful and loyal wife to the King. She owned that she had not, perhaps, at all times shewed him that humility and reverence that his goodness to her, and the honour to which he raised her, did deserve; and confessed that she had fancies and suspicions of him which she had not strength nor discretion enough to manage. But she appealed to God as her witness, that she never failed otherwise towards him. Wyat therefore tells us, that wise men in those days judged that her virtue was here her fault; and that if her too much love could, as well as the other Queen, have born with his defect of love, she might have fallen into less danger, and in the end have tied him the more ever after to her when he had seen his errors; and that this she might the rather have done, considering the general liberty and custome of falling then that way. When she came upon the scaffold, which was ordered to be built within the Tower, her looks were cheerful, and she never appeared more beautiful than at that time. She desired those about her not to be sorry to see her die thus, but to pardon her from their hearts that she had not expressed

CHAP.
XLI.

to them that mildness that became her, and that she had not done that good that was in her power to do. She next addressed herself to the spectators to the following purpose. "Christian people, said she, I am come to die, "and according to law, and by law I am judged to death, "and therefore I will speak nothing against it. I am come "hither to accuse no man, nor to speak any thing of that "whereof I am accused and condemned to die: but I pray "God save the King, and send him long to reign over "you; for a gentler and more merciful prince was there "never; and to me he was ever a good, a gentle, and a "sovereign lord. If any person will meddle of my cause "I require him to judge the best. And thus I take my "leave of the world and of you, and I heartily desire you "all to pray for me. O Lord have mercie on me; to God "I commend my soul." And so she kneeling downe, said, to Christ I commend my soul. Jesu receive my soul. After which her head was cut off, and her body thrown into an elm-chest made to hold arrows, and buried in the Tower chapel.

Coll.
No. 26.

3. Of this Queen Wyat gives us the following character. "She was taken, at that time, to have a beautie not "so whitely as clear and fresh above all we may imagine, "which appeared much more excellent by her very pleasant and chearful aspect; to which there was yet a "further addition of a noble presence of shape and mien, "representing both mildness and majestie more than can "be exprest." Upon the side of her naile upon one of her fingers was some little shew of another naile, but that so small, as if the workmaster seemed to leave it for an occasion of greater grace to her hand, which with the tip of one of her other fingers might be, and was usually by her hidden without any the least blemish to it. There were likewise said to be on some parts of her body certain small moles incident to the clearest complexions. But though they that saw her were much taken and surprized with this extraordinary beautie of her's, they were

much more enamoured with her conversation, which was exceeding graceful and ingenious, her mind being well stored with the rich treasures of the love of pietie, truth, and learning. As a proof of this, it is observed, that during the three years that she was Queen, no one suffered for religion. She had procured to her chaplains, (who were men not only of great learning, but of virtuous conversation), whom she and hers heard much, and were privately admonished by them, according to the encouragement which she gave them so to do. She had likewise about her to be attending on her person, ladies of great honour, and yet of greater choice for reputation of virtue, undoubted witnesses of her spousal integritie, and whom she trained up with all the commendations of a well-ordered government; though yet above all by her own example she shone above them all, as a torch, that all might receive light from, being itself still more bright." To every one of these, to assist their devotions and encourage their piety, she gave a little book of prayers and meditations, composed, I suppose, by her chaplains, in English, finely written on vellum, and bound in covers of solid gold enamelled, with rings at the top to hang it at their girdles. They who have seen at Hampton-Court the rich and exquisite works; wrought for the greater part by her own and her ladies hands and needle, reckon them the most precious furniture that are to be accounted among the most sumptuous that any prince may be possessed of: and yet far more rich and precious were those works in the sight of God, which she caused her maids and those about her daily to worke in shirts and smocks for the poore. But not staying here her eye of charity, her hand of bountie passed through the whole land; so that every place felt that heavenly flame burning in her, leaving no place for vain flames, no time for idle thoughts. Her ordinarie amounted to 1500 pounds at the least, to be bestowed yearly on the poore. Her provisions of stocke for them in several needie parishes were very great. Out

CHAP.
XLI.

Shaxton,
Latimer.

CHAP.
XLI.

of her privy purse went not a little to like purposes. To scholars in exhibitions she gave very much ; so as in three quarters of a yeare her almes were computed to arise to the sum of fourteen or fifteen thousand pounds. But nothing did more evidently discover the true cause of this Queen's ruine, than the King's marrying Jane Seymour the very next day after her execution.

28 Hen.
VIII. c. 10.

4. The eighth of June the parliament again met, and continued their sitting till their dissolution, Julie 18; during which session an Act passed for 'extinguishing the authoritie of the Bishop of Rome. The occasion of this is said to have been, "that notwithstanding the good and wholesome lawes heretofore made by the King and the whole consent of his high court of parliament for the extirpation out of this realme, &c. of the pretended power and usurped authoritie of the Bishop of Rome, by some called the Pope, yet it was come to the knowledge of the King's highnesse, and also to diverse and many his loving subjects, how that diverse seditious and contentious persons, being imps of the said Bishop of Rome and his see, and in heart members of his pretended monarchie, did in corners and elsewhere, as they dared, whisper, and from time to time instill into the ears and heads of the poor, simple, and unlettered people, the advancement and continuance of the said Bishop's feined and pretended authoritie, pretending the same to have his ground and original of God's law." Therefore it was enacted, "that if anie person after the last day of July, 1536, should by writing, cifring, printing, preaching, teaching, deed or act, obstinately or maliciously set forth, maintain or defend the authoritie of

^c How much alarmed some of the Popish priests were by this Act may be seen by the following declaration written by one of them at the end of a book entituled, *Liber trium virarum et trium Spiritualium virginum*, viz. If eny thyng unknowynge to me be conteyned in this present boke or in eny othir boke that semeth to make for the preeminence of the bysshop of Rome, or eny othir thyng that in any wise more or lesse ageynste my allegiance, I utterly renounce and refuse hytt, by this my hand wrytyng. By me Thomas Tedman, preste.

the Bishop of Rome or of his see, heretofore used or usurped within this realme, he should incur the penalties and forfeitures of the statute of premunire." And for stronger defence and maintenance of this Act, it was ordained, "that all and everie ecclesiastical judge, ordinarie, chancellor, commissarie, official, vicar-general, and other ecclesiastical officer or minister, of what dignitie, preheminance, or degree soever they should be; and all and every temporal judge, justicier, maior, bailiff, shiriffe, under-shiriffe, excheter, alderman, jurate, constable, head-borough, third borough, borsholder, and everie other laie officer and minister to be made, created, elected, or admitted within this realme from and after the said last daie of July, should before he take upon him the execution of such office, make a corporal oath upon the Evangelists before such person as had authority to admit him, that he from thenceforth would utterlie renounce, refuse, relinquish or forsake the Bishop of Rome and his authoritie, power and jurisdiction—and that from thenceforth he would accept, repete, and take the King's majestie to be the onlie supreme head in earth of the church of England." This was the first time that people were required formally to swear to acknowledge the King's supremacy: 25 Hen. VIII. for though in the first oathe for maintenance of the succession, it was sworn to bear faith, and truth, and obedience alonely to the King's majesty,—and in the *second* the words *supreme head in earth under God of the church of England* were added, yet this was only as the King's title. It seems therefore a mistake in the right reverend author of the history of our Reformation to say, that in the oath for maintaining the succession of the crown, enacted 28 Hen. VIII. the subjects were required, under the pains of treason, to swear that the King was supreme head of the church of England.

5. The same sessions passed another Act, to compel spiritual persons to keep residence upon their benefices. It was now seven years since another Act had been made

CHAP.
XLI.

for this same purpose, as has been shewn before. But, it seems, it being by that Act provided, that nothing contained in it should extend, nor be prejudicial to any scholar or scholars being conversant and abiding for study, without fraud or covin in either of the two universities, advantage was taken of it by several as an excuse for their not residing on their cures. Thus the Act itself reports it: that many persons being beneficed with cure of soule, and being not apt to study by reason of their age or otherwise, nor never intending, before the making of the said Act, to travell in study within any of the said universities for the increase of learning, but rather minding and intending their own ease, singular lucre, and pleasure, by the same provision colourable to defraud the same good statute and ordinance, do dailie and commonlie resort and repaire to the said universities of Oxenford and Cambridge, where they, under the said pretense and colour of studie, do continue and abide, living dissolutely, nothing profiting themselves by studie at all in learning, but consume the time in idleness and other insolent pleasures, giving occasion and evil example therby to other young men and students within the said universities, little or nothing regarding their cure and charge of soule, contrarie to the mind and intent of the makers of the foresaid good statute and ordinance: And also diverse and manie old beneficed men have, and doo continuallie remain there, never exercising nor practising their learning to the example of vertue and maintenance of the common-weale, in discharge of their conscience according to their dutie, having neverthelesse and occupying such roomes and commodities as were instituted and ordained for the maintenance and relief of poor scholars, to the great hindrance and detriment of the same. It was therefore enacted, that all beneficed men above the age of 40, except the chancellors, vice-chancellors, heads of houses and professors, should reside on their benefices, and not be excused on pretence of studying in the universities: and all under 40

years of age should likewise not enjoy the liberty and privilege of non-residence unless they were present at the ordinary lectures, as well at home in their houses as in the common schooles, and did personally keep sophems, problems, disputations and other exercises of learning, and were opponent and respondent in the same, according to the statutes of either of the universities.

6. In the year 1537 was published by Thomas Berthelet, the King's printer, with privilege, a book in 4to. with the following title, *The Institution of a Christen man, conteynynge the Exposition or Interpretation of the commune Crede, of the seven Sacramentes, of the ten Commandementes, and of the Paternoster, and the Ave Maria, Justification and Purgatory.* To it was prefixed a preface of the prelates to the King's majestie, which was thus inscribed, *To the mooste hyghe and mooste excellent prince our mooste gracious, and mooste redoubted soverayne lord and kyng Henry the VIII. by the grace of God kynge of Englande and of Fraunce, defendour of the faythe, lorde of Irelande, and supreme heed in erth immediately under Christ, of the Churche of Englande, Thomas archbysshop of Canterbury, Edward archbysshop of Yorke, and all other the bishops, prelates, and archdeacons of this your realme, wysse al grace, &c.* At the end of the preface they stile themselves the King's *Highnesse most humble subjectes and dayly beadesmen*, and add their names, which are accordingly ^dprinted, *viz.* the two archbishops,

^d An imperfect copy of this scarce book, *i. e.* I suppose without this preface, Dr. Samuel Ward had, it seems, who from another book copied these names. This book came afterwards into the hands of Mr. Nicholas Batteley, Vicar of Beaksbourne in Kent, who having never seen a perfect book, fancied this written list of names a greater curiosity than the book itself. An account of this therefore he gave to Mr. Strype, who printed it in his *Memorials of Archbishop Cranmer*, p. 54. This being observed by Mr. Collier, he inserted it in his *Ecclesiastical History*, vol. ii. p. 143, col. 1; and very sagaciously instructs his readers, "That the list of the bishops is complete thro' both provinces: but whether that of the lower-house [of convocation] was all transcribed by Dr. Ward may be a question." So true is the observation, that *errores parturit error.*

CHAP. 19 bishops, 8 archdeacons, and 17 doctors of divinity,
 XLI. canon and civil law.

31 Hen. 7. About *four* years after Bishop Fisher's death there
 VIII. c. 13. passed an Act, wherby all mannors, lands, profits and
 A.D. 1539. hereditaments, belonging to any of the monasteries or
 other religious houses dissolved, or hereafter by any meane
 to be dissolved, were assured to the King's highnesse, his
 heirs and successors for ever. To the passing of this Act
 great opposition, it's said, was made by Cranmer and the
 other bishops of the *new learning*, as they were now dis-
 tinguished who favoured the Reformation. They opposed
 the King's having *all* the mannors, &c. of the monasteries
 assured to him, and proposed that he should have only so
 many of them as his royal ancestors or progenitors had
 given to those houses: and, that the residue of them
 should be bestowed in founding hospitals, grammar schools
 for the education of youth in virtue and good learning,
 and on other things profitable to the commonwealth.
 This brought them under the King's displeasure, who
 could not bear contradiction; of which their enemies were
 not wanting to make their advantage. It seems therfor,
 as if at their instigation, there were, by the King's order,
 certain articles laid before the convocation which met at

A.D. 1539. St. Paul's, May 2d, concerning the corporal presence,
 communion in both kinds, the cælibacy of the clergy, vows
 of chastity, private masses, and auricular confession, to be
 debated and determined by them. It was well known
 how the majority of this assembly was affected, and what
 their opinions were of every one of these articles. Ac-
 cordingly, June 5th, they were all determined by them the
 old popish way, to this purpose.

31 Hen. I. That in the most blessed sacrament of the Altar, by
 VIII. c. 14. the strength and efficacie of Christ's mighty word, it being
 spoken by the priest, is present reallie under the forme of
 bread and wine, the natural bodie and blood of our Savi-
 our Jesu Christ conceived of the Virgin Marie: and, that
 after consecration there remaineth no substance of bread

and wine, nor anie other substance, but the substance of Christ, God and man. CHAP.
XLI.

II. That the communion in both kinds is not necessarie *ad salutem* by the law of God to all persons: and, that it is to be believed and not doubted of, but that in the flesh under the forme of bread, is the very bloud, and with the bloud under forme of wine is the very flesh, as well apart as though they were both together.

III. That priests, after the order of priesthood received, as afore, may not marry by the law of God.

IV. That vowes of chastity, widowhode, by man or woman made to God advisedlie, ought to be observed by the law of God: and that it exempteth them from the liberties of christian people, which without that they might inioie.

V. That it is meet and necessarie, that private masses be continued and admitted in this the King's English church and congregation, as wherby good christian people, ordering themselves accordingle, do receive both godlie and goodlie consolations and benefits: and it is agreeable also to God's law.

VI. That auricular confession is expedient and necessary to be retained and continued, used and frequented in the Church of God.

Five days after a bill was brought into the parliament, June 7. entituled, *an Act for abolishing of diversitie of opinions in certain articles concerning christian Religion*. But the penaltie of denying the first of these articles, being by the bill appointed to be burning, and of the denial of the others, the suffering death as in cases of felonie, not only Cranmer opposed it in the upper house, disputing earnestly three days together against it, but in the lower house several divines and lawyers argued strenuously against it. So that the bill had like to have miscarried, had not the King himself come to the house, and let them know his

Memorials
of Archbp.
Cranmer,
p. 73.
Eccl. Mem.
vol. i. p. 352.

* Here is all the great anger that grieveth this good man, Tyndal, that eyther lord, king or emperor, medlethe any thing for the maintenance of

CHAP.
XLI.

peremptory resolution to have it passed. In the Act it's recited, that the King had not onlie commanded, that the said articles should deliberately and advisedlie be debated, argued and reasoned by his archbishops, bishops, and other learned men of his clergy, for which cause he had commanded a synod and convocation of them to be assembled, but had also most graciouslie vouchsafed in his own princely person to descend and come unto his high court of parliament and council, and there like a prince of most high prudence, and no lesse learning, opened and declared manie things of high learning and great knowledge touching the said articles, matters and questions, for an unities to be had in the same. On the passing this Act, Shaxton, Bishop of Sarum, and Latimer, Bishop of Worcester, who had both been chaplains to Queen Anne, and very probably had opposed this Act, were both imprisoned. On which they both resigned their bishopricks on the same day, *viz.* July 1, 1539, and returned to a private life.

8. But this Act proved deficient, it seems, for the purposes for which it was intended. It was among other things enacted by it, that the King should, immediately after the 12th of July then next following, order several commissions to be made into every shire, and such other places as his Majestie should think fit, to be directed to the archbishop or bishop of the diocese, and to his chancellor and commissarie, and to such other persons as the King should name, three of which at the least, wherof the archbishop, bishop, or chancellor to be one, to hold their sessions in the limits of their commission foure several times of the year at least, or oftner to take information by the oaths of two able and lawful persons at the least, and to inquire by the oaths of twelve men of all and singular the heresies, felonies and contempts, and other offences mentioned in the Act. But now this was found to be impracticable in the diocese of York, and some other dioceses the fayth, or set to their hands to the repressing of heresies. *Sir Thomas More's English Works*, p. 402, col. 2.

ceses in the kingdom, which being very wide and large, and having in them divers peculiar jurisdictions of ordinary powers, the archbishops, bishops and chancellors, or any of them being in the *quorum* in the said commissions, could not conveniently be at the sessions appointed to be holden, by which means several of those sessions had been omitted or put off. It was therefore enacted the next year, that in all the commissions thereafter to be made concerning the premisses, there should be assigned to be commissioners with the archbishop, &c. the archdeacons and officials of everie diocese and archdeacons jurisdictions, and such other person or persons as it shall please the King or the chancellor for the time being to name and appoint to be of the *quorum*. And now did this Act rage with so much fury, that it soon got the name of the Bloody Act of the Six Articles. But it was not long before the kingdom was throlly sensible of the ill use that was made of it, and of the great peril and danger to which the King's subjects were generally exposed in the execution of it: since by vertue of it several secret and false accusations and presentments were maliciously contrived, and kept secret, that such as were accused had no knowledge at all of them to come to their declaration, until a convenient time might be seen to have them therof by malice convicted. It was therefore enacted about four years after the making this cruel law, by which so many had lost their lives, &c. that no person from thenceforth should be prosecuted upon any accusation or information concerning any of the offences comprised within the former Act, but only upon such presentments as were, or should be found by the oaths of 12 men or more before such commissioners as were, or should be specially authorized to enquire of the offences contained in the said former statute: that the presentments, &c. be taken within one year after the offences are committed; and that no person accused of any of the offences specified in that Act shall be arrested or committed to goal for them

CHAP.
LXI.

32 Hen.
VIII. c. 15.

Act concerning the
qualification of the
statute of
the Six Ar-
ticles.

35 Hen.
VIII. c. 5.

CHAP.
XII.

before he be therof indited, unless it be by a warrant from one of the King's privy counsel, or from two of the justices or commissioners, wherof one to be a lay man. It was further provided, that if any person should at any time hereafter heare any preacher or reader, who was authorised to preach or read, speak any word supposed to be contrary to any of the Six Articles, and did not accuse him of it before one of the justices within 40 daies next after, or else indite the said preacher within that time, the said preacher should be clearly acquitted of any such accusation; except the same accuser proved by two sufficient witnesses good cause why he did not make his accusations sooner.

32 Hen.
VIII. c. 27,
1540.

9. The very next year after the passing this cruel and anti-christian Act of the *Six Articles*, by which, as has been said, so many lost their lives, and others to save them were forced to flee their countrie, was passed another Act, which was entituled, concerning true opinions, and declaration of Christ's religion, in which it was said, that the King had appointed the archbishops, and sundrie bishops of both the provinces of Canterbury and York, and also a great number of the best learned, honestest, and most virtuous sort of doctors of divinitie, men of discretion, judgment and good disposition, to the intent that, according to the very gospell and law of God, without any partiall respect or affection to the papistical sort, or any other sect, they should declare by writing, and publish as well the principal articles and points of our faith, with the declaration of such other expedient points as by them, with his Grace's advice, shall be thought expedient: and also for the lawful rites, ceremonies and observation of God's service within this his Grace's realme. And because this required time, and could not be finished that session of parliament, therfore it was enacted, that all determinations which, according to God's word and Christ's gospell, by his Majesties advice and confirmation by his letters patents under his great seale, should at any time

hereafter be made by the said archbishops, bishops and doctors now appointed, or by other persons hereafter to be appointed by his Majestie, or else by the whole clergy of England in and upon the matter of Christ's religion and the christian faith, and lawful rites, ceremonies and observations of the same, should be in every point fully believed and observed, &c. This seems to relate to two books drawn up on this occasion. The one containing the principal articles of faith, and a declaration of the 7 sacraments, the 10 commandments, the Lord's prayer, Ave Marie, of free will, justification, and prayer for souls departed: the other a book of rites and ceremonies. But by whom these two books were drawn, whether by the archbishops, bishops and divines which the King had appointed, or by other persons appointed by his Majestie afterwards, or by a committee of the convocation appointed by the whole clergy there assembled, is, I believe, impossible now to determine.

10. The 'first of these two books was about three years ^{May 29,} after printed with the following title; *A necessary doctrine* ^{1543.} *and erudition for any christen man, set furthe by the Kynge's Majestie of Englande, &c.* Before it was a preface of the King's, directed unto all his faithful and loving subjects, in which his Majestie gave the following reasons for the compiling this book: that 'Like as in the time of darkness and ignorance, finding his people seduced and drawn from the truth by hypocrisie and superstition, he, by the helpe of God and his worde, had travailed to purge and cleanse his realme from the apparent enormities of the same, wherin by opening of Goddes truth, with setting forth and publishing of the Scriptures, his labours had not been void and frustrate; so now perceiving that in the time of knowledge, the devil, who ceaseth not in all times to vex the world, hath attempted to return again, as the

' In the MS. library in Benne't Coll. Cambridge, are some papers of Archbp. Cranmer's, entituled *Annotations upon the King's Book*, which seem to intimate, that this book was reviewed by him.

CHAP.
XII.

parable of the gospel sheweth, into the house purged and cleansed, accompanied with seven worse spirits; and, hypocrisie and superstition being excluded and put away, he found entred into some of his peoples hearts an inclination to sinister understanding of Scripture, presumption, arrogance, carnal liberty, and contention; he was therefore constrained for the reformation of them in time, and for avoiding such diversite of opinion, as by the said evil spirits might be engendred, to set forth, with the advice of his clergy, such a doctrine and declaration of the true knowledge of God and his worde, with the principal articles of our religion, as wherby all men might uniformly be led and taught the true understandinge of that whiche was necessary for every christian man to know for the ordering of himself in this life, agreeably to the will and pleasure of Almighty God: which doctrine also the lords both spiritual and temporal, with the nether house of parliament, had both seen and liked very well.' These last words seem to intimate as if this book was not composed by a committee of the convocation, and approved by the bishops and clergy there assembled, but by these bishops and divines which the King appointed. Since it seems probable, that if the bishops and clergy in convocation had seen and approved this doctrine, their doing so would have been taken notice of here, as well as the approbation of the Lords and Commons in parliament. However this be, what the King here observed of the diversitie of opinions among the people was agreeable to what was said in the preamble of the Act before mentioned; 'That out of sundrie outward parts and places there had sprung divers heretical, erroneous, and dangerous opinions and doctrines in the religion of Christ.'

11. In what the King here says, of the pains he had taken to purge and cleanse the realme from the apparent enormities of hypocrisie and superstition, by opening God's truth, and publishing the scriptures, it's probable he refers to the *Institution of a Christen man*, which was

set forth about *six* years before. This, as has been said, CHAP. XLI.
 was dedicated to the King by the archbishops, bishops, A. D. 1537.
 prelates, archdeacons, doctors of divinity, and professors
 of the ecclesiastical and civil law, whose names are sub-
 scribed, being 46 in number: who tell his Majesty, that
 by his command they had assembled themselves together,
 upon the diligent search and perusing of Holie Scripture,
 to set forth a plain and sincere doctrine concerning the
 whole summe of all those things which appertain to the
 profession of a christen man, that by the same all errors,
 doubts, superstitions, and abuses might be suppressed,
 removed, and utterly taken away, to the honour of Al-
 mighty God, and to the perfect establishing of his subjects
 in good unitie and concord, and perfect quietness both in
 their souls and bodies.

12. As to the King's publishing the Scriptures, Queen A. D. 1536.
 Anne had, by her interest with him and intercession, with Antiqui. Ecclesiæ Britannicæ.
 some difficulty obtained his leave to have the Bible printed
 in English, and placed in churches, that the people might
 read it. But her unhappy death prevented this grant
 taking effect. However, through Archbishop Cranmer's
 and Secretary Cromwel's address, it was attended with
 better success a few years after. In 1534, the convoca- Decem. 19.
 tion then sitting requested the Archbishop to be instance
 with the King, that he would vouchsafe to order, that the
 Holy Scripture be translated into the vulgar English
 tongue, by some prelates and learned men to be nomi-
 nated by himself. In 1535 was a translation of the whole
 Bible, made by William Tyndal and Dr. Myles Coverdale,
 finished at the press, and by Coverdale dedicated to the
 King, as was before intimated. A. D. 1537. Two years after was the
 Bible printed again in English, and said in the title page
 to be truly and purely translated into English by Thomas
 Matthewes. This Bible had Tindal's prefaces and notes
 added to it, which gave great offence to the popish clergy,
 as being levelled against their errors and superstitions.

CHAP. XLII. It was therefore proposed to review it, and print it again, without these prefaces, &c. for which purpose Grafton and Whitchurch were employed. They, accordingly, resolved to print it at Paris, there being better paper and cheaper, and more dextrous workmen. For this purpose, Cromwel, who encouraged this undertaking, procured the King's letters to the French King to desire his leave for a subject of his to print the Bible in English; which was accordingly granted. But before it was quite finished, the printers were clapt up in the Inquisition, and the copies seized and burnt, except some that were sold for wast paper. However, by Cromwel's encouragement, they who were concerned in this business returned to Paris and got the presses, letters and workmen, over to London, where they printed it themselves: and in November, 1539, the lord Cromwel procured the King's letters patent, granting to the people the free use of the Scriptures in their natural tongue, and appointing Cromwel to take special care, that no manner of person should attempt to print any Bible in the English tongue of any volume during the space of five years. But notwithstanding this, we find there was printed this very same year the Holy Bible, recognized with great diligence after most faithful exemplars by Richard Taverner: wherunto was prefixed a table of the principal matters contained in the Bible, and which we are told was by the King's leave openly read in churches: and two years after was printed, The Bible in English of the largest and greatest volume auctorysed and apoynted by the commaundement of oure most redoubted prynce and soveraygne Lorde Kynge Henrye the VIII. supreme heade of this his churche and realme of Englande; to be frequented and used in every churche within this his sayd realme, accordynge to the tenour of his former injunctions geven in the behalfe. Oversene and perused at the commaundement of the Kynges hyghnes by the righte reverende fathers in God, Cuthbert

Antiqu.
Oxon. lib.
ii. p. 264,
col. 1.

bysshop of Duresme, and Nicholas bisshop of Rochester. CHAP. XLI.
 Printed by Edwarde Whitchurch: cum privilegio ad im-
 primendum solum, 1541. Tonstal. Heath.

13. The other book referd to in the Act seems to have been what was entituled, *A Book of Ceremonies*. The points touched in this book were :

1. The hallowing and reconciling of churches and church-yards. Strype's Eccl. Mem. vol. i. Append. No. 109.
2. The ceremonies about the sacrament of Baptism.
3. Ordering of the ministers of the church in general.
4. Divine service to be said and sung in the church.
5. Mattins, prime and hours.
6. Ceremonies used in the mass.
7. Sundays, with other feasts.
8. Bels.
9. Vesture and tonsure of the ministers of the church, and what service they be bound unto.
10. Bearing candles upon Candlemas-day.
11. Feasting days.
12. The giving of ashes.
13. The covering of the cross and images in Lent.
14. Bearing of palms.
15. The service of Wednesday, Thursday, Fryday before Easter.
16. The hallowing of oyl and chrism.
17. The washing of the altars.
18. The hallowing of the font upon Saturday in the Easter Even.
19. The ceremonies of the resurrection in Easter morning.
20. General and other particular processions.
21. Benedictions of bishops or priests.
22. Holy water and holy bread.
23. A general doctrine to what intent ceremonies be ordained, and of what value they be of. What is here named last is put first in the book itself, and is to this effect: that "though it be very truth, that there is a great

CHAP. "difference betwixt the commandments and works ex-
 XLI. "pressed by Scripture necessary for a christian man's life

Supersti-
 tions.

"and salvation, and rites and ceremonies devised by men;
 "because the works contained in Scripture are the ex-
 "press commandments of God, which may not be in-
 "fringed, taken away, or changed by any men, and the
 "other said rites and ceremonies are appointed and
 "ordained by men, which upon causes reasonable may
 "from time to time by governors and men of authority be
 "altered and changed: yet such ordinances, rites and
 "ceremonies, devised by such as are in authority, for a
 "decent order, quietness and tranquillity, ought, all
 "abuses and superstrutions therby taken away, to be
 "with all reverend obedience observed by the people, not
 "as works and workers for their salvation, but as a godly
 "policy, and ordinances made and devised by christian
 "governours, to the intent, as St. Paul saith, 1 Cor. xiv.
 "that things should be done and used among the chris-
 "tian congregation with an honest reverence and a decent
 "order. And therefore to the end, that this church of
 "England may be comely and quietly ordered and well
 "instructed, it is thought meet and convenient, that the
 "orders and ceremonies, and rites following, should be in
 "the church honestly, obediently, and reverently kept and
 "observed." A declaration somewhat like this was after-

Of Ceremo-
 nies omitted
 or retained.

wards præfixed to the English Liturgy, published 1549:
 and indeed, it seems, as if the owning, that the ceremonies
 might from time to time be altered, Archbishop Cranmer
 thought a considerable point gained. The remainder of
 the book is a rationale or explanation of the several cere-
 monies then in use, shewing the mystical use and meaning
 of them. Thus, for instance, in explaining the rites and
 ceremonies used in baptism, it's said, 'that the priest maketh
 a cross upon the forehead of the child that is offered to be
 baptized, entokening, that he is come to be professed and
 totally to be dedicated to Christ crucified, whom he will
 never be ashamed openly before men to confess and

acknowledge.' But this book seems never to have had the confirmation of his Majestie's letters patent under his great seal, as the Act before mentioned required. CHAP.
XLI.

14. About *three* years after, in the session of parliament ^{34 Hen. VIII. c. 1.} which begun by prorogation January 22, was made an A.D. 1542. Act, entituled, *For the advancement of true religion, and for the abolishment of the contrarie*. In the preamble to it, it's observed, that the King perceived the ignorance and blindness of several of his subjects in abusing and not observing the true and perfect religion of Christ; and that notwithstanding such wholesome doctrines as his Majestie had caused to be set forth, and their having in their hands the New and Old Testament, many arrogant and ignorant persons had taken upon them not only to preach, teach, and set forth the same by words, sermons, and disputations, but also by printed books, ballads, plays, rhymes, songs and other fansies, subtilly to instruct the people, and especially the youth of the kingdom, otherwise than the Scripture ought to be taught. For remedying this the King thought it very requisite, that all such books, writings, &c. should by lawes dreadful and penal be taken away, and that a form of the true doctrine of the catholic and apostolic church should be established, wherunto men might have recourse for the true decision of some such controversies as had risen among them, and did still continue to be debated. It was therfore enacted, in the first place, that the Old and New Testament in English, of the craftie, false, and untrue translation of Tindall, should be utterly forbidden to be kept or used in this realme. Next, it was ordered, that all other books and writings in the English tongue, comprising any matters of the christian religion, articles of the faith, or holie Scripture, contrarie to that doctrine which, since the year 1540 is, or anie time during the King's life, shall be set forth with the following superscription or subscription, *viz. by the King and his clergy*, with addition at the end of the printer's name, his dwelling place, and the day and yeare of his printing it,

CHAP.
XLI.

shall be likewise forbidden. All printers and booksellers were also ordered not to print or sell any of them on pain of imprisonment for three months, and forfeiting for every such book printed, &c. 40*l.* sterling for the first offence, and for the second, being sentenced to perpetual imprisonment. It was further enacted, that no one should have in his hands or keeping any English books against the sacrament of the Altar, or for the maintenance of the damnable opinions of the sect of the anabaptists, or any other English bookes which heretofore have been abolished and condemned by the King's proclamations, on pain of forfeiting for every such booke the summe of five pound sterling. But then there were excepted out of this Act, the Bibles and New Testament in English that were not of Tindall's translation; only if there were any annotations or preambles, other than quotations or contents of the several chapters, they were to be cut or blotted out. These every nobleman and gentleman who were housekeepers might lawfullie reade, or cause to be read by their servants; but no women, except noble and gentle women, nor artificers, apprentices, journeymen, serving men of the degrees of serving men or under, husbandmen or labourers, were allowed to read them to themselves, or to any other privately or openly, on pain of one month's imprisonment. It was further enacted, that if any spiritual person, after the first daie of July then next coming, did preach, defend, or maintaine any thing contrarie to the determinations which since the year of our Lord, 1540, was, or should be set forth by the King, he should for the first time be admitted to recant: and if he refused to do soe, then he should abjure and bear a faggot; and if he refused to do that, and offended the third time, then he should be deemed and adjudged an heretic, and should therfore suffer pains of death by burning, and losse and forfeitures of all his goods and cattals.

A.D. 1545. 15. In the parliament that met November 23, in the 37th year of the King's reign, about *ten* years after the

Bishop's death, passed an Act, whereby all chantries, hospitals, colleges, free chapels, fraternities, guilds, and stipendiary priests, were given to the King. It was said, that these were founded to the intent that alms to the poor people, and other good and virtuous and charitable deeds might be done by the wardens, &c. but that it was very well known, that the greatest number of them had not hitherto, nor did yet order and use their said chantries, hospitals, colleges, &c. according to the virtuous and godly intents and purposes for which they were first founded; and, that therefore the King intended to have them better employed for the time to come. It was therefore enacted, that the King, during his natural life, should direct his commission under his great seal to such a number of persons, and into such counties, shires and places, as by his Highness should be thought expedient and requisite, giving to them, or to two of them at the least, full power and authority in his Highness's name, to enter into all such chantries, &c. as were chargeable to the payment of the first fruits and tenths, and into all colleges chargeable or not chargeable to them, and to seize and take the same chantries, colleges, &c. mentioned in the said commission, into the King's possession.' This, it seems, affected the college of St. John's, to which the Bishop had been so great a benefactor; which was one of the colleges mentioned in the King's commission. According to the powers given them, the commissioners appointed for the university of Cambridge, seized and took for the King what the Bishop had given to the college, for trentals and exequies, &c. by which means his charity was diverted into another channel. They likewise ordained new statutes, whereby the Bishop's or founder's statutes were nulled and vacated; a more distinct account wherof will be given elsewhere by a more able and proper hand.

16. As by these proceedings, and the siezing the Bishop's goods and library on his attainder, the college

CHAP.
XLI.

R. As-
chami
Epist. p.
291, ed.
1703.

were great losers, so we find them in the next reign endeavouring to make themselves amends. For this purpose they applied themselves to the Duke of Somerset, his Majesty's governor and protector of his whole realm, whom they stile the greatest patron of learning. To him they thus told their story: The Lady Margaret, great grandmother of our King Edward, founded this college, and secured it by very excellent statutes for the promotion of learning; and setting on it a very commodious estate for its maintenance. Since then three most bitter affairs have afflicted this college. First of all, certain of King Henry VIIth's officers took from it 400 pounds a year of its estate. Many years after John Fisher, Bishop of Rochester, by his too obstinately defending a false doctrine, stripped the very excellent learning here taught of its ornaments and riches. This man governed the college at his pleasure, and therefore in his hands were placed the very glorious ornaments which the Lady Margaret gave to the college. All his books likewise were theirs, which were a great treasure, and meet to have faln into the hands of good and able men. But his perverse doctrine deprived *him* of his life, and *them* of their exceeding great wealth. By these two calamities their college was, they said, reduced to great poverty; which yet were attended with a third, which had long oppressed them and driven them to great straits, namely, the very great dearness of all things to be sold. The price of every thing was enhanced, but their income was not encreased; insomuch, that now they could not live for twenty pence so well, as formerly they could do for twelve pence. One would conclude from hence, that the Bishop's household goods and furniture, were not his own, but the colleges, and that he had the use of them only, as the college's trustee. Nay, they are not so grateful as even to mention his own free gift to them of his library, but speak of it as if that likewise was their own. But whether through the Protector's being soon after attainted, and losing his life, or

for any other reason, this application, it's certain, came to nothing. At the beginning therfore of the next reign the college applied themselves to Queen Mary, in a strain which they thought would be agreeable to her. They told her, ' that her most devout great grandmother had at her death entrusted Bishop Fisher with all her gold and silver plate which she had bequeathed to them, and the rest of her treasures which she had given them in her life time: that he was by the means of some persons put into prison; and that the devout man whilst he remained shut up there, had nothing more in his thoughts than how he might in his life time convey to them the abovesaid ornaments; but that being beheaded a few days after, he was disappointed of his design: that by *his* death they had entirely lost those ornaments, together with huge volumes of very excellent works.' They likewise wrote another letter to Heath, then Archbishop of York, and Lord Chancellor of England; in which they tell him, ' that the Bishop, to make them some compensation for their great losses, did freely, and of his own accord, give to the college all he had, little and much; but that by his death, they had unhappily lost, and to their great damage, all his books, every piece of his plate, all his houshold furniture, his wearing apparel, and the vestments pertaining to his chapel, and whatsoever he had that was valuable.' In another letter they thus expressed themselves, that " the " treasures of Bishop Fisher, his houshold furniture, " books, plate, and other ornaments of infinite value and " account, which he had bequeathed to them before his " death, were some time since taken from them, and were " yet detained to their great wrong, but certainly very " unjustly." But long before this, in the Bishop's life time, on Cardinal Wolsey's fall, whom they charged with taking from them the 400*l*. a year in lands before mentioned, they applied themselves to Dr. Chambers, telling him, ' that they had as yet no satisfaction made to them for their loss, nor could get the lands again, though they

CHAP.
XLI.Regist.
Litera.
Coll.
Joannis.
A.D. 1555.

A.D. 1531.

CHAP. had been at great expences for that purpose: but, that
 XLI. the King might easily repair their losses; especially if he
 would first be informed how unworthily they had been
 troubled by the Cardinal, and would vouchsafe of so many
 monasteries as he had got to be dissolved, to make a grant
 to them of some part of the land belonging to them.' But
 how true this representation of theirs was of their having
 no satisfaction for the loss of these lands, must be left to
 the reader of what has been said before to judge. And
 every body, no doubt, will reckon it a most consummate
 piece of gratitude thus to treat the Cardinal after his
 death, whom when alive and in high favour with his
 prince, they could own they were obliged to for his kind-
 ness and assistance, as they actually were in his procuring
 for them the grant of the Maison Dieu of Ospringe, and
 of the nunneries of Higham and Bromfield. But of this
 I've given an account in the foregoing papers. I therefore
 only add, that this Act concerning chantries, colleges, &c.
 affected likewise another branch of the Lady Margaret's
 charity, as follows. At Winburne, in Dorsetshire, was a
 college of secular priests, consisting of a dean and so
 many prebendarys. In the church belonging to this col-
 lege, which was likewise the parish church, were buried
 John de Beaufort Duke of Somerset, and his Dutchess,
 the father and mother of the Lady Margaret. She ther-
 fore, according to the devotion of those times, obtained a
 licence of the King, her son, to establish and found in
 this college a perpetual chauntry of oon priest, and to
 geve unto hym and his successors lands and tenements
 to the yerely value of 10 pounds, there to kepe conti-
 suall resydence, and to teche frely grammer to all them
 that will come therunto." But now this being a chaun-
 try, and the church collegiate, it came within the compass
 of this statute, and accordingly fell by it. Though after-
 wards Queen Elisabeth reestablished both the church and
 free school.

Camden
 Britan.

Lady Mar-
 garet's will.

A

COLLECTION OF PAPERS, &c.

RELATING TO

B^p. FISHER'S LIFE.

COLLECTION OF PAPERS, &c.

No. I.

*Ultima Voluntas Roberti Fisher de Beverly in Comitatu
York, 1470.*

IN Dei nomine, Amen. xxx^o die mensis Junij, Anno Domini millesimo cccc^{mo} septuagesimo, Ego Robertus Fisher de Beverlaco Mercer, sanæ existens memoriæ condo testamentum meum in hunc modum. Inprimis, lego animam meam Deo omnipotenti beatæque Mariæ Matri ejus, et omnibus sanctis curiæ celestis: corpusque meum sepeliendum in ecclesia beatæ Mariæ Virginis Beverlaci coram crucifixo. Item, do et lego cuilibet domui eleemosinarum Beverlaci xxd. Item, do et lego pro decimis meis oblitis xiiid. Item, lego fabricæ ecclesiæ collegiatæ beati Johannis Beverlaci xxd. Item, lego fabricæ ecclesiæ cathedralis beati Petri Eboraci viijd. Item, do et lego utrique domui Franciscanorum Beverlaci iij^s. ivd. Item, lego capellano Sanctæ Trinitatis ut oret pro anima mea xij^s. ivd. Item, volo quod unus Capellanus ydoneus celebret pro anima mea per unum annum. Item, lego Domino Roberto Kuk, vicario ecclesiæ beatæ Mariæ Virginis v^s. viijd. Item, lego Johanni Plumber capellano v^s. viijd. Item, lego Thomæ Wykeliffe fratri meo vis. viijd. Item, lego Elenæ uxori ejus Sorori meæ v^s. viijd. Item, lego Willielmo fratri meo xlv^s. quos mihi debet super certum plegium. Item, lego eidem Willielmo ultra debitum xiv^s. Item, lego abbati et conventui de Hawnby in comitatu Hagnaby. Lincolnensi xs. ad unum trentale missarum pro anima mea ibidem celebrandum. Item, lego Clemenciæ Cherington 2s. Item, lego fabricæ ecclesiæ de Hotoft in Hotoft.

COLL. &c. comitatu Lincolniensi iij s. iv d. Item, lego cuilibet libero-
I. II. rum meorum de mea propria parte liijs. iv d. Et si con-

tingat alicui eorum dum sint infra ætatem præ alijs decedere, tunc pars ipsius decedentis illis tribus superviventibus equaliter dividenda. Residuum verò omnium bonorum meorum superius non dispositorum nec legatorum, expensis funeralibus et debitis meis plenarie persolutis, do et lego Agneti Uxori meæ, quam quidem Agnetem et Johannem Siglestone, hujus præsentis testamenti mei ac ultimæ voluntatis ordino et constituo meos veros et legitimos executores, ac Willielmum Fisher fratrem meum et Thomam Wyke-liffe inde supervisores, hijs testibus Roberto Kuk, vicario ecclesiæ beatæ Mariæ Virginis, Johanne Wollar, Johanne Copy et alijs. Probatum fuit presens testamentum vicesimo sexto die mensis Junij, Anno Domini supradicto, ac commissæ administratio executoribus in eodem testamento nominatis in forma juris juratis.

Collatione fidei facta concordat hæc copia cum testamento præfati Roberti Fisher in registro Scaccarij Domini Archiepiscopi Eboraci registrato. Examinatur per Will. Smyth, notarium publicum.

No. II.

Licentia prioris et capituli ecclesiæ Christi Cantuar. pro consecratione J. Fisher.

REVERENDISSIMO in Christo patri et Domino Domino Willielmo permissione divina Cantuariensis archiepiscopo totius Angliæ primati et apostolicæ sedis legato, vestri humiles et devoti filij Thomas Prior et capitulum vestræ sanctæ Cantuariensis ecclesiæ obedientiam et reverentiam tanto patri debet: cum honore. Licet gloriosus martyr Sanctus Thomas qui pro jure et libertate vestræ Cantuariensis ecclesiæ glorioso meruit coronari martyrio, et præterea beatissimus Edmundus confessor, prædecessores vestri favore benevolo indulserunt proindeque statuerunt consecrationes quorumlibet suffraganeorum ecclesiæ ves-

træ memoratæ in eadem sancta Cantuariensis ecclesia et COLL. &c. II. *II.
 non alibi præsentialiter celebrari debere, nisi de communi
 consensu totius capituli Cantuariensis gratiose fuerit ob-
 tentum quòd aliquis alibi quàm in sancta ecclesia vestra
 prædicta valeat consecrari, sitque idipsum ecclesiæ vestræ
 per sedem apostolicam privilegialiter indultum, necnon de
 antiquâ et approbata consuetudine hactenus habitum et
 obtentum; Ut tamen venerabilis vir magister Johannes
 Fysshar, Rofensis ecclesiæ electus et confirmatus, extra
 ecclesiam vestram Cantuariensis valeat consecrari, quan-
 tum in nobis est, ad hoc damus consensum pariter et
 assensum, receptâ primitùs ab eodem electo sufficienti
 cautione quòd hujusmodi gratia seu licentia nostra speci-
 alis in hac parte sibi facta seu facienda nobis vel ecclesiæ
 vestræ in nullum cedat prejudicium in futurum. Reservata
 nobis cappa decenti qualem quilibet suffraganeus ecclesiæ
 vestræ ratione professionis suæ eidem ecclesiæ de jure
 et antiqua consuetudine solve debet. Ratum habituri et
 gratum quicquid per vos actum concessum seu expeditum
 fuerit in præmissis; juribus cæteris privilegijs libertatibus
 et consuetudinibus ecclesiæ vestræ prædictæ in omnibus
 semper salvis. In cujus rei testimonium sigillum nostrum
 commune presentibus est appensum. Dat. in domo nostra
 capitulari vicesimo secundo die mensis Novembris, Anno
 Domini millesimo quingentesimo quarto.

For Mr. Lewis. J. Lynch, Dean of Cant.

No. *II.

Titulus Registri Joannis Fisher Episcopi Roffensis.

REGISTRUM reverendi in Christo patris et Domini Domini Registr.
 Johannis Fisher, sacre theologie professoris Dei gracia Spiritual.
 Roffensis episcopi. Cum sanctissimus in Christo pater et Episcopat.
 dominus noster dominus Julius divina providentia papa Roffensis,
 secundus venerabilem patrem predictum ecclesie cathed. f. 40, a.
 drali Roffen. per translacionem reverendi in Christo

COLL. &c. patris Ricardi nuper dicte cathedralis ecclesie episcopi
*II. §III. ab ipsa ecclesia cathedrali Roffen; cui tunc preerat, ad
ecclesiam cathedralem Cicestren. cui autoritate apostolica
jam nuper preficiebatur vacanti prefecerit in episcopum et
pastorem, ut patet per bullas inde confectas de dat.
Rome apud Sanctum Petrum anno incarnationis Dominice
millesimo quingentesimo quarto, indiccione septima, ponti-
ficatus sui anno primo. Qui consecratus fuit per reveren-
dum in Christo patrem et dominum dominum Wilhelmum
permissione divina Cant. Archiepiscopum, totius Anglie
primatem et apostolice sedis legatum in capella sua infra
manerium suum de Lamehithe Winton. dioc. die Domi-
nica ante festum Sancte Katerine virginis, viz. vicesimo
quarto die mensis Novembris, Anno Domini supradicto,
indiccione septima, pontificatûs sanctissimi patris predicti
anno predicto: presentibus tunc ibidem magistro Hugone
Ashetone et Ricardo Collet, legum doctore.

No. III.

Extracta ex eodem Registro.

MANDATUM Wilhelmi Archiepiscopi Cant. pro liberatione
spiritualium Johanni episcopo Roffen. dat. 25 Novembr.
Anno 1504. *Ibid.*

26. Novemb. Anno 1504. Johannes episcopus Rof-
fen: prefecit magistrum Ricardum Hewster arcium ma-
gistrum commissarium dioc. sue pro tempore. Item,
Johannem Bere, notarium publicum registrarium suum,
&c. *Ibid.*

18. Februar. Anno 1504. Idem reverendus pater pre-
fecit magistrum Thomam Heede, legum doctorem sue
dioc. et consistorij sui Roffen. officialem et vicarium gene-
ralem. *Ibid.* fol. 40. b.

24. Aprilis, Anno 1505. Idem reverendus pater induc-
tus, installatus et intronizatus fuit in realem, corporalem ac
actuaalem possessionem dicte ecclesie et episcopatus in

persona venerabilis viri magistri Thome Heede, legum COLL. &c.
doctoris procuratoris sui, &c. *Ibid.* fol. 42. a. b. III.

Creacio magistri Radulphi Malleverer in bacallarium juris canonici. Anno 1519.

XIV^{to} die mensis Julij, Anno Domini predicto. Idem reverendus pater in magna camera sua infra manerium suum de Hallynge extraxit et exhibuit quandam literam missivam sibi a venerabili viro magistro Johanne Wattessone, vicecancellario universitatis Cantabrigie paulo ante destinatam *quarum tenor talis est. "Salve presulum *cujus. "tam sanctimonia quam doctrina antistes! Ostendi vim et "effectum literarum tuarum senatui nostro nactus postea "graciam qua committitur auctoritas paternitati tue ad- "mittendi Radulphum capellanum tuum bacallarium in "jure canonico ac deferendi eidem juramentum de obser- "vandis statutis nostris, scedulam hujus rei testem implicui "hijis literis." Cujus quidem scedule tenor talis erat: *placet vobis ut Radulphus Malleverer, officialis reverendi patris et Domini Domini Roffensis episcopi cancellarij nostri qui habet gratiam ad intrandum in jure canonico possit recipere juramentum a Domino cancellario et admittere et gradu baccalariatús plenè consummari. Et sequebatur hoc verbum ADMITTITUR.* Hec ea scedula erat qua specialis ista gracia Cantabrigie petebatur. Quibus sic exhibitis et inspectis, Idem reverendus pater adtunc Cancellarius dicte universitatis existens dictum magistrum Radulphum officialem suum ad Sancta Dei evangelia juratum, quod ab illo die inantea statuta dicte universitatis quatenus se concernunt fideliter observaret vice et auctoritate sibi specialiter in hac parte a dicta universitate commissis bacallarium juris canonici admittit. Presentibus tunc ibidem magistro Ricardo Sharpe in sacra theologia baccallario, Roberto Walefeld arcium magistro, ac magistro Johanne Bere dicti reverendi patris registrario et actorum scriba et alijs. *Ibid.* fol. 79. a.

COLL. &c.
 *III. IV.

No. *III.

*The Lady Margaret, Countess of Richmond and Derby's
 profession of Chastity, avowed to Bishop Fisher.*

Jhu.

IN the presence of my lorde god Jhu Christe and his blessed mother the gloriouse Virgin Sent Marie, and of all the hole companye of heven, and of you also my gostly father. I Margarete Richmonde, with full purpos and good deliberacion for the well of my synfull sowle, wyth all my hert promys frome hensforthe the chastite of my bodye. That is, never to use my bodye, having actual knowledge of man after the comon usage in matrimonye. The which thing I had before purpassed in my lorde my husband's dayes, then being my gostly father, the bisshoppe of Rochester, Mr. Richard Fitzjames, and now eftsence I fully conferme itt as far as in me lyeth, beseeching my lord God, that he will this my poor wyll accept, to the remedye of my wretched lyffe and releve of my synfull sowle. And that he will gyve me his grace to performe the same. And also, for my more meryte and quyettesse of my sowle in dowlful thyngs pertenyng to the same, I avowe to you, my Lorde of Rochester, to whome I am and hath bene, sence the first tyme I see you, admytted, verely determined (as to my cheffe trustye counselloure) to owe myne obedyence in all thyngs concernyng the well and profite of my sowle.

No. IV.

A clause of the Lady Margaret's Will relating to her endowing a free Grammar School at Wynburne in Dorsetshire, where her father and mother lye interred.

—WHERE we have licens of the said Kinge, our most dere son, to establysh and found a perpetuall chauntry of oon preest in the college of Wynburne, and to geve unto hym and his successors lands and tenements to the yerely value

of 10^{lib}, we will, that if we founde not the said chauntry in COLL. &c.
 our lyfe, that then our executours, as soon as convenyently IV. V.
 they may aftir oure deces, shall establyshe and founde the
 said chauntry of oon perpetuall prest in the same college,
 ther to kepe continuall resydence, and to teche frely
 gramer to all them that will come therunto.

No. V.

*Inscription on a mural Monument set up in Winburne
 Mynstre for John Moyle, master of the Free School, by
 his youngest son Edward Moyle, Esq.*

H. I. I.

Denbigensi comitatu ortus Johannes Moyle, A. M.

Vir venerabilis, liberalis et doctus,

Mariam Ægidij Bridgwater in comitatu Hereford

Armigeri filiam uxorem duxit.

Ex qua quatuor filios et quinque natas habuit,

Quos omnes una cum uxore charissimâ

(Postquam scholæ liberæ grammaticali in hoc

Oppido per nonnullos annos sedule et fidelitèr præfuisset,)

Superstites relinquens in æternam requiem migravit

xiii^o Junij Salutis, anno M.D.C.LXXXVIII.

Ætatis autem suæ XLVI^o.

Maria verò vidua relictâ liberos piè educavit,

Per omnia seipsam præbens laudabile exemplar,

Cum septuagesimum octavum ætatis annum ferè

Complevisset consortem in cœlestia præmia secuta est

xx^o Julij, anno incarnationis Domini M.DCCXIII^o.

In memoriam optimorum parentum

Edvardus Moyle Arm.

Liberorum natu minimus hoc posuit monumentum

Die mensis Junij xxv^o, Anno Domini

M.DCCXIX.

COLL. &c.
VI.

No. VI.

A Letter from the Fellows of Queen's College, Cambridge, to Dr. Thomas Wilkynson, their president, testifying their resolution to choose Bishop Fisher their president.

Regist.
Coll. Regin.
Cant. ab.

RYGHT reverent and worshypfull, and to us at all tymes most syngular and specyall good Master! We your Scolars and dayly Beedmen humblie recommend us unto your mastershypp. And for as mych as wee understond be the lettres of the moste excellent princes my Lady the Kyng's mother, and also by your lettres that ye be at this tyme myndit to resign the presidentship of this our college, called the Qwenys Colage, so that ye myght knowe our mynds in this thyng. Wherefore we wryte unto yower maistership at this tyme, signifying unto yow that we are fully determinate, and doth promyse yow to elect such a man as is thought unto yow necessary and profitable unto this our collage the Lorde Bisshop of Rochester. In wytness wherof we have sett to our comen seale, beseechynge yow to contynew, good maistre, to the same colage and to all us, and we shall daily pray for the long and prosperus contynuance of your helth to the plesour of God, who preserve yowe. Frome Cambrygge in haste, the xijth daye of Aprill.

There is no date of year; but by the series of letters and instruments, it must have been dated 1505, and wrote to Dr. Thomas Wilkynson, then president of Queen's College; for the next instrument is from Johannes Fysshier Roffensis episcopus presidens et Socij Coll. Regin. &c. dat. Septimo die mensis Maij, Anno Domini millesimo quingentesimo quinto.

No. VII.

Titulus Willielmi Peytoo.

REVERENDO in Christo patri et Domino, Domino Silvestro Dei gratia Wigorniensi episcopo, alijve cuicunque episcopo catholico sui officij pontificalis executionem optinenti: E. Registro
Collegij
Reginalis,
&c.
sui humiles et devoti Johannes Roffensis episcopus presidens collegij reginalis sanctorum Margarete et Barnardi in Cantebrigia, et ejusdem loci socij et scholares universi omnimodas reverentias tanto patri debitas cum honore. Quia pium et meritorium deoque placitum esse dinoscitur clericos ad sacros ordines promovere quos tam morum gravitas quam literarum scientia commendat; hinc est quod dilectum nobis in Christo Willielmum Peytoo artium magistrum clericum ac nostri collegij supradicti socium perpetuum vestre dioceseos, latorem presentium vestre paternitati reverende presentamus, humiliter supplicantes et devotè, quatenus eundem Willielmum ad omnes sacros ordines quos nondum est adeptus, per sacrarum manuumstrarum impositionem ad titulum collegij nostri supradicti promovere dignemini cum favore ac caritatis intuitu. In cujus rei testimonium sigillum nostrum commune presentibus apposuimus. Dat. Cantebrigie in collegio nostro supradicto 4^o die mensis Martij, Anno Domini millesimo 1507. quingentesimo septimo.

No. VIII.

The Form of a Licence for preaching granted by Bishop Fisher, Chancellor of the University of Cambridge, granted to Christopher Bayley, A.M. 1522.

UNIVERSIS sancte matris ecclesie filiis, presentes literas inspecturis vel audituris; Johannes, Dei gracia, alme universitatis Cantabrigie cancellarius, et ejusdem universitatis cetus unanimis regencium et non regencium, salutem in Domino sempiternam. Universitati vestræ notum facimus

COLL. &c. per presentes, quod Julianus episcopus Ostiensis miseratione divina, pro divini cultus et fidei catholice incremento, ac christiane religionis augmentatione, ad petitionem et instanciam providi viri Thome Cabolde Domini pape pro nacione Anglie, Scocie, et Hibernie in Romana curia minoris penitenciarij per quandam bullam que sic incipit, Julianus episcopus, miseratione divina, Ostiensis, &c. concessit nobis et successoribus nostris, autoritate Domini pape Alexandri sexti apud sanctum Petrum sexto nonas Maii, pontificatus sui anno undecimo, de ejus habundante gracia et speciali mandato super hoc vive vocis oraculo illi facto, licenciam et liberam facultatem imperpetuum, eligendi singulis annis duodecim doctores seu magistros et graduatos in presbyteratûs ordine constitutos, et ad predicandi officium magis idoneos, qui sub universitatis sigillo communi electi et deputati, ubique per totum regnum Anglie, Scocie et Hibernie, populo et clero verbum Dei predicare et seminare possint; dummodo predicti doctores seu magistri et graduati prefati, et hujusmodi ad predicandi officium sic electi et deputati non predicent in locis ubi ordinarij locorum predicant nisi de eorum consensu, constitutionibus et ordinacionibus apostolicis, ac statutis et constitutionibus provincialibus et synodalibus, aut Othonis et Octoboni ceterisque contrariis quibuscunque in regno Anglie, Scocie, et Hibernie non obstantibus, nec non locorum ordinariorum licencia super hoc minimè requisita; consensu tamen rectorum ecclesiarum interveniente. Que omnia et singula plenius et evidencius in predicti Ostiensis episcopi bulla apparent. Nos igitur Johannes Roffensis episcopus, cancellarius antedictus cum cetu unanimi regencium et non-regencium universitatis predictæ, autoritate prefate bulle nobis in hac parte concessâ, ad officium predicandi hujusmodi, dilectum nobis in Christo Christophorum Bayley presbyterum, artium magistrum, pro anno duntaxat post dat. presencium, eligimus, preficimus et deputamus. Vosque in Domino oramus et obsecramus, quatenus quum prefatus Christophorus ex

alumpnis nostris unus, ad vos, ecclesias vel capellas vestras COLL. &c.
 accesserit, ad officium predicationis hujusmodi exercen- VIII.*VIII.
 dum ipsum cum omni favore quo poteritis admittatis. In
 cujus rei testimonium sigillum commune universitatis pre-
 dictæ apposui. Dat Cantabrigie ultimo die mensis Maij
 anno salutis humane millesimo quingentesimo vicesimo
 secundo.

No. *VIII.

Oratio habita coram illustrissimo Rege Henrico VII. E Cod. MS.
Cantabrigiæ, A. D. 1506, a Joanne Fisher episcopo Bodl. Ar-
Roffensi et Cancellario Accademiæ illius illustris. chiv. B. 67.

ETSI nullis unquam verbis tuæ celsitudini, Rex illustris-
 sime, pro tuis in nos et universitatem istam beneficijs gra-
 tias agere condignas possumus: nobis tamen ipsi non
 satisfacimus ullo modo, nisi reddiderimus verba saltem,
 ubi gratiam referre nequeamus. Confundimur enim ipsi
 quod tanta majestas totiens de nobis homunculis, et tam sin-
 gulari benignitate merebitur, et nos contra obmutescemus
 ingrati, non recognoscentes quid factum sit à tanto et tam
 amplissimo Rege. Nam si merita in nos tua diligentius
 pensitemus, nihil vel ab optimo Rege subditis, vel ab
 amantissimo parente filiis, liberalius potuit exhiberi quam
 regia tua erga nos pietas effecit. Et cumulatius quidem
 quid à te aut expectare, aut desiderare possemus? Cui
 pietati si non verbis saltem respondere conaremur (quum
 rebus impossibile sit) maximum ingratitude vitium non
 injuriâ nobis imputari potuit: et nos non novis solum
 beneficiis essemus indigni, sed et veteribus privandi meri-
 tissimè. Dicemus igitur primum de magnitudine tua, quæ
 tantoperè de nobis meruit; deinde nostram necessitatem
 in quâ tunc fuimus exponemus; et sic merita postremo
 commemorabimus in nos tua.

Nemini dubium esse potest quin quanto is qui dederit
 major est tanto majores illi debentur gratiæ, eatenus igitur
 de tua magnitudine loqui jam cupimus, quatenus appareat
 quantis agendis eidem gratiis obnoxii sumus, Non quod

COLL. &c. velimus panegyricum agere laudum tuarum, quod dignè
 • VIII.
 Pictatem. fieri vix ab eloquentissimo potest, aut conciliare nobis ampliore vanis et blandis assentationibus, quibus tuas aures offenderemus potius, et nos rem ageremus nobis et nostris professionibus indignissimum; sed magis ut officium impendamus nostrum, quod prætermittere non possumus nisi reos ingratitudinis maxima nos redderemus. Viri semper illi qui magni futuri essent, (ut plurimum) ortus habuerunt admirabiles: multisque et magnis discriminibus exponebantur; adeo ut nisi mira Dei dispensatione præservarentur, perijssent sæpenumero. Cujus rei exemplis pleni sunt gentilium historiarum libri, in quibus nemo descriptus est magnus, cujus ortus non aliqua re insigni notaretur, et vita successus non multis plenus esset discriminibus.

Sed ut gentiles omittam, ad sacras historias venio, in Vita Mosis. quibus de Moyse illo traditur, qui magnus dux populi Israelitici futurus esset, quod pater ejus in somnis admonebatur uxorem cognosceret, a qua abstinuit metu mortis a Rege Ægyptio interminatæ masculis Hebræorum nascituris. Ipse etiam parvulus Moyses mox ut in lucem editus fuerat, repositus in fiscella scirpea fluctibus et aquarum discrimini exponebatur; nec defuit tamen divina benignitas quæ illum tutaretur quoad venerit in manus filiæ Regis Pharaonis, a quo multo diligentius educabatur, quam ab ipsis parentibus fuit factum: admonebatur per præsagos regni sui ut morti illum traderet tanquam regno perniciem futuram, sed Deo optimo maximo rem curante non est permissus. Quæsitus deinde ad necem Moyses quod Ægyptium quendam interemisset, vix periculum evasit: patriam in qua natus fuit relinquens, ad deserta se contulit: ubi et mirabiliter providit illi Deus. Qui et illum reduxit in Ægyptum et ducem populi Israelitici constituit, multa ostendens pro eo prodigia, tam in ipsa Ægypto, quàm in maris rubri transitu in discrimine famis et sitis: in variis seditionibus plebis suæ adversus eum: in bellis etiam non paucis, quæ eum externis gerebat, in quibus omnibus et alijs periculis innumeris, protector ei Deus

affuit semper quoad tandem illi valde offenderit, ob quod COLL. &c.
iratus Deus non permisit ingredi promissionis terram. • VIII.

Sed quorsum ista? Nimirum ut intelligamus quanta sit magnitudo tua, Rex illustrissime, qui tam mirabiliter natus, atque in lucem editus a nobilissima principe genetrice tua, nunc præsenti; quæ tum annum non implevit quartum decimum. Rarus profecto partus et insolitus, ipsaque (ut cernimus) non magnæ staturæ fœmina est at multo tunc (ut asseritur) minoris fuit, adeo ut miraculum cunctis videbatur in illis annis, et in illa corporis parvitate gnatum aliquem, maximè tam procerem, tam elegantem edidisse.

De periculis verò et discriminibus vitæ maximis, quæ, Deo auctore, per omnem ætatem tuam ad hæc usque; tempora evaseris, longum esset enarrare, et dies antè deficeret, quàm exitum invenirem. Nam et dum in utero portarit te mater, vix discrimen pestis evasisti, quæ teneiores fœtus faciliè consuevit interimere de quâ et pater tuus princeps illustris interiit. Mater deinde viro orbata te peperit orphanum, a cujus uberibus mox abstractus, illorum custodiæ traditus fueras, qui bellis assiduis implicabantur. Castellum, quo tenebaris obsessum in manus inimicorum venit; qui tamen, Deo ita providente, te, (ut præclarum sanguinem deceret) educaverunt egregiè. Indè quæsitus ad necem, patriam deserens, ubi ad cognatum tuum regem Francorum ire destinaveras in minoris Britanniae ducem utiliùs incidisti, quanquam ab eo rursùm tanquam captivus detinebare. Sed, pace cum eo facta, quum in patriam redire statuisti, tanto ventorum impetu classis tua jactabatur, ut vi compulsus retro retulisti pedem, Deo rem ita disponente, ne forte in manus inimicorum tuorum venisses qui tunc insidias pararant tibi. Post hæc Britanni te venalem offerebant capitalibus inimicis tuis nihil magis quam tuum sanguinem sitientibus. Quid multis? Convenit inter eos de pecunia: sed tu interea, Deo mirabiliter subveniente, cum tuis omnibus effugisti salvus, in Galliam. Unde quum denuo tentares venire in patriam, dirigente tunc tuum iter et prosperante Deo, parva manu ingressus hoc

COLL. &c. tuum regnum, regem qui tunc fuit cum universo ipsius exercitu fudisti quam primùm. In solio demum confirmatus (me jesu!) quot adversæ fortunæ machinatus insidias? Quot proditioes clanculùm excogitatas? Quot murmura et rebelliones nefariorum? Quot formidanda, ob eventum maximè ancipitem, prælia, (quæ nos omnes recenti adhuc memoria tenemus) tu ad tuam ingentem gloriam, non nisi divinitus, superasti semper? Hæc una res nobis ad magnitudinem tuam comprobendam abunde sufficit. Nihil opus erit hîc recensere præstantium sanguinis tui, ex multis et sanctissimis regibus imperatoribusque descendentem, quos tua nobilitas non minus illustrat, quam ipsi te; non egregiæ tuæ juventutis exercitamenta, quibus occupari volueras, desidiam et inertiam velut pestem fugiens. Taceo invictam animi tui magnitudinem quâ in eventibus quos alii valdè formidabant, tu semper fuisti imperterritus; temperantiam in cibis et potibus, et cæteris corporis voluptatibus, quæ non modo florem corporis tui sed et ingenii acumen, et memoriæ tenacitatem conservabas imprimis; prudentiam in gerundis rebus omnibus, in hac præsertim regni tui administratione, quod nunc adeo pacificum reddidisti, et tam votis tuis obsequentissimum, ut nullis retrò seculis ab ullo unquam Rege id factum legimus. Tanta et tam admiranda sapientia tua est, ut non solum nos tui subditi cuncti admiramur, verum etiam exteri omnes principes, Reges, Gubernatores nationum omnium contendunt, quis eorum tibi intimior esse posset, quis fæderatior, quis legibus amicitiae conjunctior. Prætereo linguarum varietatem, et disertam eloquentiam, corporis proceram dignitatem, formæ venustatem, quæ te regem decet, robur et vires, celeritatem, agilitatem, dexteritatem ad cuncta quæ agere velis: fecunditatem regni tui, plebis tibi subjectæ animositatem, ingentes divitias tuas: hæc sicut et alia innumera prætermitto.

Tantum dico, si divinam in te providentiam, et (ut ita dicam) manutenentiam quis attenderit, valdè admirabilis est si sanguinem, æque nobilis: si magnitudinem animi,

magnanimus imprimis : si temperantiam, moderatissimus ; COLL. &c.
 si prudentiam et sapientiam, cæteros excellis, uti sol minora ^{* VIII.}
 sidera ; si sermonem, disertissimus ; si corporis egregiam
 dignitatem, formosissimus ; si potentiam et opes, potentis-
 mus, atque opulentissimus ; si deniq; simul omnia, gloriosis-
 simus ; adeo ut quicquid in orbe terrarum Summus Deus
 aut pluribus ætatibus in uno Rege, aut pluribus regibus in
 unâ ætate contulerit, id omne in te unum cumulata felici-
 tate conguessisse visus est. Solum hoc tibi curandum est
 ne Deo tam benignissimo unquam sis ingratus.

Sed de magnitudine tua satis ad rem nostram, quanquam
 ne satis unquam dici a quoquam potest.

Nunc vero de nobis secundo loco dicendum est atque
 ita ut omnes intelligant te tuam in nos pietatem exercuisse
 eo tempore, quo fuit nobis maxime necessaria, et proindè
 etiam celsitudini tuæ gratiarum ampliorum nos jure factos
 esse debitores.

Sed ad hanc rem astruendam necesse nobis erit antiqui-
 tatem universitatis hujus ab initio repetere : non ut jacta-
 bundi de vetustate nostra gloriemur, sed magis ut tua ma-
 jestas misereatur (uti profecto facis) tam veterem academiam
 intra regnum tuum jacturam aliquam pati. Cœpit hæc
 nostra academia, Rex metuendissime, a Cantabro quodam
 * Orientalium Anglorum Rege : qui et Athenis fuisse tra-
 dicitur, literas ibi et artes quasque bonas edoctus.

Vix crederetur forsitan illius antiquitas, si quo anno
 cœperit ex his monumentis, quæ in archivis nostris conti-
 nentur referre voluerimus. Quæ et multa plura fuissent,
 si non cædibus, incendiis, et rapinis toties fuisset devas-
 tati. Sed majori utemur modestia ; nihil dicturi quod non
 ex aliorum annalibus, etiam indiciis apertissimis posset
 comprobari. Hoc unum imprimis constat nos longè præ-
 cessisse † Honorii primi tempora ; qui et suas literas ad † Papa Ro-
 nos dedit, quarum exemplaria sub plumbo tenemus, quæ et ^{manus.}
 mentionem faciunt temporum multò antiquiorum. Fuit
 A.D. 622.

* De annis horum regum itemque Orientalium Anglorum nihil admodum
 certi memoriæ proditum est.

COLL. &c. autem Honorius ille primus creatum et sexaginta annos pri-
 * VIII. usquam Carolus ille magnus Rex Francorum Parisiensem
 universitatem instituit: quam nos haud dubiè credimus a
 nostris sumpsisse initium, ab Alchvino videlicet Joanne et
 *Gymnasij. Rabano quos annales nostri tradunt alumnos fuisse *Gi-
 gnasii hujus.

Sed ne nostrum hoc commentum fuisse videatur, Gagvi-
 num testem citabimus, hominem Parisiensem, et historia-
 rum non inscium. Is in Gallorum annalibus refert præ-
 fatos viros Alchvinum, Joannem, Rabanum ex his partibus
 in Galliam fuisse delatos, sapientiamque se professos
 habere venalem. Quam rem mox ut Carolus ille magnus
 intellexerat, acciri jussit eos ad se Alchvinumque præcep-
 torem suum constituit; reliquis locum et docendi faculta-
 tem præbens in urbe Parisiensi. Et ista nimirum occasione
 Gagvinus testatur scholam Parisiensem fuisse inchoatam.

Sed quid de antiquitate tantum? Certe ut nostra con-
 ditio, quâ tunc fuimus quando benignissimis oculis tua
 majestas nos intueri cœperit, magis appareat miseranda.
 Nam si fuisse felicem summum miseriæ genus sit; ille
 profectò miseriores tanto putandi sunt quantò majores
 causas non minimæ felicitatis habuerunt. An parva res
 est Parisiensem gloriam ex his sedibus initium accepisse:
 tantum lumen quantum nunc Parisiis accensum est ab
 Anglorum sapientia fuisse diffusum?

Sed et antiquitatem mirum in modum, sapientes viri
 semper colendam existimabant atque venerandam.

Ob utramque igitur causam nostra conditio non minima
 fuit. Addo quod regibus cognatis et progenitoribus tuis
 tam chari olim fuimus, ut maxima apud eos gratia florui-
 mus semper. Henricus tertius, Edvardus primus, Edvar-
 dus secundus, Edvardus tertius, Richardus secundus,
 nostras injurias acerbissimè vindicarunt, libertates et pri-
 vilegia contulerunt: maximis etiam favoribus prosecuti.
 Henricus tertius has ipsas ^bædes in quibus nunc sumus à
 fundamentis erexit. Edvardus tertius domum amplissi-

^b Ædes fratrum minorum seu Franciscanorum.

mam, cui nomen *Aula regia* est, pro triginta duobus scho-
 lasticis curavit ingenti sumptu ædificari. COLL. &c.
*VIII.

Henricus sextus, patruus tuus, vir sanctissimus alteram
 pro sexaginta scholasticis aggressus est, quam et **Dei* *Maison
Dieu.
domum voluit vocari. Idem quoque patruus tuus colle-
 gium aliud inchoavit, quod merito *Regium* nuncupatur,
 tam ob amplitudinem operis incepti, quàm ob structuræ
 sumptuositatem, in quo et duos ex fratribus suis, patrem
 et patruum tuum posuit erudiendos. Sed morte præventus
 inconsummatum reliquit, et tuæ nimirum celsitudini, quod
 ille divinitus prædixisse asseritur. His profectò rebus olim
 nos beatos et felices putabamus. Ceterum illo tempore
 quo tua celsitudo nobis indulgere cœperit, nescio quo in-
 fortunio, sive continuis litibus, et injuriis oppidanorum
 (quibus eramus implicati) sive diuturna plaga februm, qui-
 bus supra modum vexabamur, (nam ex literatoribus com-
 plures amisimus, et ex ipso doctorum numero decem viros
 omnes graves et valde eruditos) seu tertio bonarum artium
 fautores et benefactores pauci erant et prope nulli. Sive
 his, sive aliis occasionibus profecto literarum et studiorum
 nos propè omnes tædium cœpit: adeo ut multi secum
 cogitarent, quorsum hinc abirent commodè. Prope in de-
 solationem venissemus, nisi tua tandem majestas splendi-
 dissima nos velut oriens ex alto respexisset.

De necessitate nostra hactenus dictum est; nunc restat
 ut merita postremò commemoremus in nos tua. Nihil
 profecto conferri nobis a quoquam potuit utilius, aut stu-
 diis nostris conducibilius, quàm a tua celsitudine factum
 est. Summus enim ille orator Marcus Cicero proæmio
 Tusculanarum investigat quid causæ esset, quod ante sua
 tempora pauci Romanorum se Philosophiæ Studiis contu-
 lerunt? et respondet, Quoniam *Honor tunc illi à nemine*
tributus fuit. Honos (inquit) *artes alit omnesque incen-*
duntur ad studia gloriâ; jacentque ea semper quæ apud
quosque improbantur. Nemo igitur philosophiæ studiis
 incubuit; quoniam ea nullo tunc honore habebatur. Neg-
 ligi enim solet semper quicquid contemptui est, et contra,

COLL. &c. quod laudatur a pluribus id quisque insequitur. Virtus
 *VIII. namq; (ut quidam ait) laudata crescit. Apud Chaldæos,

apud Ægyptios, apud Athenienses, et Græciam, longo quidem tempore hospitata sapientia est, et floruit: sed tam diu quam apud eos fuerat in honore. Statim enim ut desiit apud eos honorari, nemo deinceps illius curam egit. Cujus rei non inscius, Rex prudentissime, voluisti pro summa tua prudentia torpentes animos, et languentia nostrorum ingenia, ad bonas artes et probitatem benevolentissima tua gratia provocare. De quo testem afferre neminem potero certiore quàm meipsum. Meipsum (inquam) quem incredibile cunctis fuit ad episcopatum tam repente promoveri. Quippe qui paucos annos habuerim, qui nunquam in curia obsequium præstiterim, qui nullis ante dotatus beneficiis. Et quam ob rem ego ad episcopatum assumerer? Quid tuam ad hoc admirabilem sapientiam monebat? Nihil profecto aliud nisi ut studiosis omnibus liquidò constaret illorum causa id factum esse. Nosti, optime Rex, an vera dixerim.

. Te nullius aut viri, aut feminæ precibus adductum ut id faceres asserebas: sed ob eam rationem solam, ut cæteros ad virtutem et bonas literas incitares. O vocem Rege dignissimam! O verbum scholasticis universis meritò jucundissimum! Ceterum ut apertius tuum in illos animum comprobares, anno superiori ad nos venisti, dignatus es disceptationibus interesse, atque id per omnes omnium facultatum scholas. Neque id fecisti cursim et perfunctoriè, sed longo temporum tractu. Nemo regum, aut principum, sed nec baronum, aut equitum quidem, tantum operis et laboris impendit unquam ad nos audiendos. Et quid hoc sibi voluit aliud nisi ut tuâ præsentia nostrorum animos ad studia accenderes et quasi facem inureres doctrinæ ac virtutis aviditatem? Quod et apertissimis indiciiis monstrare voluisti; quum postridii hæc audieris, ingentem auri summam, cum magno ferarum numero, in publicam computationem universis scholasticis maxima tua liberalitate contulisti. Quibus, quæso, modis magis inge-

nuus potuit quisquam, non dico dominus servos, non regia COLL. &c. * VIII.
 Majestas subditos, sed pater amantissimus carissimos filios
 ad studia literarum allicere? At adhuc paternam illam
 pietatem opere aliquo permanentiori testatam indicari
 studiebas.

Collegium, illud, quod sanctissimus patruus tuus Henricus sextus a fundamentis inchoavit opus immensum, opus quod manus et opes regum expostulat, opus quod nemo alius præter te consummare potuit, opus tibi uni divinitus destinatum; hoc tu aggressus es. Præter hæc omnia nunc citra adventum hunc tuum statim ut oppidum intraveras, nova nos obruere liberalitate voluisti. Sed præsentia majestatis tuæ imprimis, quæ ad instar solis resplendet, qua nihil illustrius est, nihil splendidius, gloriosius nihil, quæ nobis gratissima est, quæ expectatissima, quæ optatissima semper; hæc inquam majestatis tuæ præsentia tanto his diebus academiam nostram fulgore perfudit, ut nulli ante hæc tempora fulgidiores illuxerunt unquam. Rectissimæ Solomon aiebat: *In hilaritate vultus Regis* Prov. xvi. *vita, et clementia ejus quasi imber serotinus.* Reviximus enim ex tuo vultu, et ex verbis tuis clementissimis quasi imbre quodam fœcundantissimo irrigati sumus.

Nam ut post hiemis asperitatem, ubi cuncta herbarum et arborum genera superveniente frigore correpta sunt, revertente sole reviviscunt, fœcundaque fiunt; sic et tui vultus hilaritas, Rex omnium gloriosissime, qua nos post tantas calamitates tam benignissimè respexisti, reviviscere fecit ingenia nostra; et dulcissimus oris tui sermo, quasi gratissimus imber in nos descendens, fœcunda eadem reddidit iterato.

Quis nunc non videt quanti sumus debitores apud te? apud tantum, (inquam,) majestatem, pro tantis beneficiis, in tanta necessitate nobis exhibitis? Quid nos vicissim rependemus? Quid referemus gratiæ? Urbes dare non possumus, non possumus populos, non regnum conferre, non augere. Scio quid faciemus, Animos dabimus. Animos (inquam) quibus neque nos referre, neque tua majestas

COLL. &c. amplius quicquam accipere a nobis potest. In eis dies
*VIII. IX.

ac noctes memoria tui nominis indelebili cogitatione versabitur, insidebit, repetetur, revirescet quotidie tuorum beneficiorum recordatio sempiterna. Istudque interim optabimus, det tibi Deus, optime Rex, longam, felicem, fortunatamque diem; gnatus* hic tuus, princeps illustris et te patre dignus, tibi in regno succedat, vestra soboles augeatur: vobis procures obsequantur: milites ament: populi pareant: amici colant: inimici metuant: foederati perseverent: diuturna sit vobis incolumitas hic in terris, et post hanc vitam in coelis æterna felicitas. Amen.

Dixi.

No. IX.

Elibro MS. JOHANNES Fisher episcopus Roffensis dedit collegio Christ penes 43l. ut inde emanant prædia ad valorem 40 solidorum.
R. Alexan. Cujus donationis lex et conditio hæc est: scilicet, ut celebretur Anniversaria Commemoratio una cum Missâ et satisfactoria oratione pro animâ præfati episcopi Roffensis, et pro animabus parentum ipsius et hæredum; et ipso die quo hæc solennia, commemoratio celebratur, magister recipiet 16 denarios, quilibet socius 12 denarios, singuli

To this the scholarium, si baccalaurei sint, 4 denarios; si infra istum
College obliged gradum, denarios 2. Et prædictum anniversarium, si
themselves tertio eos omisisse contigerit, forisfacient prædia collegio
by Indenture, dated Sti. Joannis, ut illi eandem solennitatem observent. Ut
Feb. 22, planius videre est in fine originalis libri statutorum in
1525. Thesaurario repositi.

E Notulis
MS. collect. e libro
procuratoris junioris.
A.D. 1628,
1629. penes
R. Alexan.
Young, &c.

Lxx. *De Lectura continuanda per annum in Theologia a necessarijs regentibus.*

Quilibet in artibus incipiens jurabit de continuatione lecturæ theologicæ, a Domina Margareta Regis Henrici VII. matre fundatæ, per annum, per cujuslibet termini majorem partem, si lector per majorem partem legerit: neque se absentabit nisi ex rationabili causâ per vicecan-

cellarium, lectorem, et duos procuratores et eorum singulos COLL. &c. approbandâ.

IX.

Cap. 45. De Visitatore.

Descripissae igitur nunc universis personis intra collegium officia, et officiorum leges et statuta nobis videmur, et exactè, quæ si servaverint integrè et inviolatè (quod vehementer optamus) viros ex eodem non dubitamus prodituros, qui magnæ erunt utilitati et honori universo huic Regno, provisum est (quod fieri potest) juramentis cujusque arctissimis. Sed tamen et visitatoris industriam et auctoritatem superaddere decrevimus, qui singulis annis perscrutabitur an rectè omnia et ad unguem servantur quæ a nobis instituta sunt, quem saltem metuant, si Deum noluerint formidare. Statuimus igitur quod Johannes permissione divina Episcopus Roffensis et nunc universitatis Cantabrigiæ cancellarius, quoad vixerit, etiamsi fortè cancellariatu se abdicaverit, visitator dicti collegij sit: cui in officio illo faciendo, quandocunque ei magis videbitur opportunum, magistrum sive ejus locum tenentem, et scholares omnes tam socios quam discipulos parere volumus, neque illi solùm, sed et substituto suo, quando ipse impeditus accedere non possit, illaque omnia quæ superius in alijs statutis dicta sunt de cancellario, aut ejus vices tenente ad illum referri decrevimus, quamdiu superstes fuerit; post mortem vero ipsius ad cancellarios cæteros et eorum vices gerentes, &c.

E libro MS.
Statutorum
Coll.
Christi.
Octo. 3,
1506. penes
R. Alexandrum
Young, &c.

By vertue of this visitatorial power, his advice, ordination, and consent, were required to the college acts. Thus in a substitution of proctors or attorneys to interpret and explain the college statutes, the instrument recites, that it was done *cum consilio et consensu et ordinatione revelendi in Christo patris Domini ac Domini Joannis Roffensis Episcopi*.

18. Octobris.
A. Regni.
Hen. VIII.
10.
A.D. 1519.

COLL. &c.
X.

No. X.

MS. penes, A FERFYTE and true terrear of all the lands and other commodities belonging to the mannor of Elverland in the parish of Osprindge, in the countie of Kent, declaringe the names and contents in everi severall feelde, the boundes, with the tenementes belonging thereunto, of the demyse and graunt of Richard Longworthe, clarke bacheler in divinitie, and m^r of the college of Sainte John the Evangeliste in the universitie of Cambridge, in the countie of Cambridge, the fellowes and schollers of the same colledge unto Edward Sowgate, now farmer of the said mannor, made and delivered unto the said *m^r, fellowes and schollers, according to a composicion and article comprized within the said dimize on the part of the said Edward, his executors and assignes to be done and accomplished within sixe yeeres next after the beginning of the said dimized leasse, which was from the feaste of Sainte Michael the archangel, in the yeare of our Lorde God 1571, as plainlye appereth in the said dimize, dated the 17th daye of September, in the yeare of the raigne of our souvraine Ladie Elizabeth, by the grace of God Queene of England, France and Ireland, Defender of the Faith, &c. the 18th, Anno 1576.

* Master.

Inprimis, the mannor house of the demized *farme* of Elverland, with a barne, one stable and other buildings; five feelds thertoo annexed, (that is to saye) Southfelde 24 acres, Eysling feelde 30 acres, Westfelde 22 acres, Coulver feelde 12, Forstalle crofte 3, conteininge alltogether lienge 91 acres, boundinge to the Kinge's streate, north and east, to the lands of John Greenstrett, Thomas Adame and Northcoorte, southe, and to the landes of Robert Poraige, west.

91 acr.

1. *Item*, one acre callide Jervice downe croft, boundinge to the landes of Vinsent Saint Nicholas, southe, a homewaye called Smauledane, nowe in the tenure of Robert

Poraige, west, to the Kinge's streate theare, northe and east. COLL. &c.
X.

Item, one parcell of lande cawlid Jervice-downe 20 acres, more or lesse bounding to the homewaye of Smauledane foresaid, este, too the lands of Roberte Poraige and Lewes Atleese, southe, to the King's streete, west, to the landes of Vincent Saint Nicholas and the King's streete, north. 20.

Item, one parcell of lande caulld Acvele three acres, bowndinge to the King's streatt, northe, Vincent Saint Nicholas, east and west, and to the lands of John Greenstrete, southe. 3.

Item, one parcell of land caulld Humberland 17 acres, more or lesse being in the parishes of Osprindge and Throalie, boundinge to Davington crofte and Towne-place, northe, to Towne-place agayne, east and southe, to the Kinges street there, west. 17.

Item, one parcell of lande caulld Minechyndane 4 acres, boundinge to the landes of Robert Poraige, north, to Anthonie Terrie and Towne-place, east, to John Greenstreet, sowthe and to the Kinge's street there, weste. 4.

Item, one parcell of lande cawlid Shaylersdowne 7 acres, boundinge to the lands of John Greenstreet, north, to the same John and Christchurch lands in the citie of Canterbury, east, the same John Greenstreet again, south, and to Robert Poraige, west. 7.

Item, one parcell of lande called two acres, the same three acres, boundinge to the lands of Thomas Sands, gent. northe, John Greenstreete, east, Robert Poraige, southe, and the Kinge's street there, west. 3.

Item, one parcell of land caulld Caulishdane 20 acres, more or lesse, boundinge to the lands of Robert Poraige, north, Robert Upton and the King's street there, Henry Bateman, south, the same Henry again and Northecoorte, west. 20.

Item, one parcell of land called Stonhepps 10 acres, more or lesse, bounding to the King's street there, northe, Robert Poraige, east, to Caulishdane and Northcoorte, 10.

COLL. &c. southe, and the landes of their owne college called fyve

X. acres, west.

- Item*, one parcell of land cawlid fyve acres, the same
10. 10 acres bowndyng to the Kinges street there, northe and west, to Stonehepps, east, and to the landes of Northcorte, sowthe.
7. *Item*, one parcell of land cawlid Cookescrofte seven acres, boundinge to the landes of Northcorte, west and northe, to Henry Batman's, east, too the Kinges street there, sowthe.
4. *Item*, one parcell of lande cawlid Watter'ham 4 acres, boundinge to the Kyngs streatt there, northe, to the lands of Henry Batman, east, to the same Henry agayne and Northcorte, sowthe and west.
10. *Item*, one parcell of lands cawled Joysefelde ten acres, boundinge to the lands of George Fynche Esquyer, and to the Lordshippe of Queene-Courte, sowthe, to the Abbye lands of Rochester caulled Gooldfeeld and Queene-courte agayne, west, to the heyres of John Maykott, Goldfeelde barne, the barne of John Dewards, to the said George Fynche lands agayne, and a parcell of their own colledge lands, northe, and to the Kynge streatt there, and agayne to theyres of that John Maykotts lands, este.
2. *Item*, one parcell of woodlands lyenge at Shaylers downe in the parishe of Throwleye two acres, more or lesse, boundinge to the lands of John Greenstrett, north, to Robert Poraige, east and west, and to Anthony Terrye, sowthe.
4. *Item*, one parcell of woodlands lyenge in a wood cauled Lamberkinwoods, 4 acres more or lesse, being in the same parishe of Throwlye, boundinge to the lands of Robert Upton and Robert Poraige, northe, to Thomas Sands, gent. east, Robert Poraige againe and Arnold Terrye, sowthe, and to the King's streate there, weste.
2. *Item*, one parcell of woodlands lyeinge at Homber lands in the same parishe of Throwlye two acres, more or lesse, boundinge to the lands of Towne place, north

and east, and to their owne colledge lands, sowthe and west. COLL. &c.
X. XI.

Item, one tenement situated and beinge on the sowth side of Ospringe streate, caulled the Sarsons-hed, with a garden of one yearde of lande boundinge to the King's high-way theare, north and west, to their owne lande appertayninge to the parsonaige of Osprindge, east, and to the lands of George Finche Esquyer, sumtime Exbridges, sowthe.

Item, two littell tenements together, beinge in the sowthsyde of the same streatt, with their tow gardens of one yearde of lands bowndinge to the King's high way there, northe, and to their own colledge lands, east, sowthe and west.

Summ total of the acres of land ap- } 215^{acr.} et dim.
pertainyng to the said mannor.

No. XI.

An Account of the difficulties and discouragements which ex veteri
libro rubro.
MS. fol. 38,
39, 40.
Bishop Fisher met with in the foundation of St. John's College, entred upon the old red Book, probably by his direction as it is in his name.

The Bushop of Ely.

The License of the Bp. of Rome.

The proving of my Lady's Will in the
Chancery.

The Licence of Mortmayn.

The besones of my Lady's servants
which wolde have hadde all the
goods amongh them.

The taking away of 400 lib off lande.

The agreement with my Lady of
Devunshire.

The stopping of that payment.

The sewite for Ospringe.

The sewite for Higham.

The sewite for Browme hall.

First, my Lorde of Ely which then was, albeit that he James
Stanley,
S. T. P. who
died March
22, 1534-5.
hadde promysed my Lady his assent for the dissolvynge of
St. John's House, which then was a religious house, into
a college of students: yet because he hadde not sealide,
he wolde not performe his promyse, and so delayed the
mattere a longe season, till at the last we were fayne to
agre with hym by th' advyse of my Lorde of Wynchestre,

COLL. &c. to our grete charge. This was the first sore brounte that
 XL. we hadde, and like to have qualedde all the mattere, if it
 had not ben wyselye handelide : for upon this hong all the
 rest. If this had ben clerelie revoiked by hime we cudde
 not have done any thyng for that college, according to my
 Lady's entente and wyll. And surelie this was a long
 tyme, or that we cudde have the writyngs surelie made
 and sealide with his seale, and his covent seale, upon the
 sayme : for he purposlie delayed it for causes which I will
 not here rehearse.

Seconde, where we hadde sente for the Popis licence
 to extincte the religious housse, and to chaunge yt into a
 college of students, when the graunte came home it was
 founde of no vailow, and all by the negligence of our
 counsell which devisede it, for the which we weare fayne
 to make a new wryting, and to have better counsell, and
 to send agayne to the courte of Rome, which was a grete
 hynderance, and a grete tracte of tyme.

Thirde, where my Lady in hir tyme had opteyned the
 Kyng's licence for this chaunge to be mayde, but she
 dyede or ever yt was sealyd, so that we were fayne
 to make a new suyte : and where also she opteyned by the
 Kyng's licence, for mortassyng of fyfty pound launde
 onely and noe more, heare I hadde not a little besones to
 opteyne a new graunte for licence of 200 pound to be put
 in mortmayne, and cost me grete suyte and labor both by
 my selfe and by my frends, or that I cudde opteyne it :
 and iff thys had not ben opteyned heare wolde have ben
 but a poure college. Heare we ware so sore ploungide,
 and in a manner in a dispayre to have brought the college
 in that conditione that, lovide be our Lorde, it is now in.

Forthe, it was thought expedient by the juges, that for
 a suyrtye of the lands which my Lady had put in feoffa-
 ment for the performance of hir wyll, and hadde therof
 licence so to do by Kynge Edward [V.] under his brode
 seale, and by the Kynge hir sonn under his seale likewise
 unto than all hir will and testament war performyd : I say,

it was thought necessarye by the juges that my Lady's ^{COLL. &c.}
will shulde be provyde in the Chauncery over and besydes ^{XI.}
the profe off yt in my Lord of Canterbury's court. And
her was myche tyme and labore taken, more then I can
tell in a few words, of attendance and ofte resorting to the
chanceler of England, often having our lernyde counsell
together, often having the chef juges advises, so many
writts, so many *Dedimus potestatem* to them that war ab-
sente, that shulde beare witness in this mattere. So herde
it was to get them to bere this witness, and to be sworne
that were then present, so many suyts to the Kyng's solli-
citour, the Kyng's attorney, the King's sergeants with-
outen whose assents my Lorde Chancelore wolde nothing
doe unleas thei war all present at every Act to beare
record. This matere or it cudde be concluded was a yere
and a half in doing. Forsoth it was sore laboreos and
paynfull unto me that many tymes I was right sory that
ever I toke that besones upon me.

Fyft. After this rose a grete storme, the which was
sturryde by my Lady's servaunts: the occasion was this.
When my Lady was at the poynte to departe owt of this
worlde unto the mercy of God, I hadde pety of hir poure
servaunts, and movide hir that suche as hadde done hir
good service and was but littill recompenside, that it wolde
please hir thei might sumwhat be consideride after the
wisdomme and discretione of my Lord of Winchestre and
me, and she was well contentyde. Upon this occasion
they mayde unto the Kyng grete surmises that they
shulde have my Lady's goods dividede amongs them,
which put us to a greate trobill. For all that they cudde
ymagen of evyll agaynst me thaie gave information unto
the Kyng, and made him a verray hevy lorde agaynst me.
For the which was moch attendance gyvyn, and moche
suyte I made for myself or ever that I might be declarede.

Sixt. After this I was movide by the King to prepare
myself to go unto the generall cownsaile [at the Lateran at
Rome] for the realme with my Lorde [prior] of St. John's

COLL. &c. and other. And because I shulde thene departe, the receiver of these lands which was in feoffament made grete besones for his discharge, because that I hadde recevide part of that money, so was I fayne to deliver out of my hands all suche obligations as I hadde in keeping unto * Mr. Asheton and * Mr. Hornby, and to declare myself of all recknings concerning the receyts of the money off that lands or any other. And Mr. Hornby receyved after that as myche as was recevide of the said money.

* two of the
Lady Mar-
garet's exe-
cutors.

Sevinth, When I was disapontyde of that jorney my Lady servaunts maide a new besones. Thai saw that thus thei couth not prevyle, therfore thei cawside us to be callide to accompts of all my Ladys goods, and to shew a cause whi we shulde keepe the Kings inheritance from hime to the valow of 400 pound yerly. And here we brought in our accompts, first, before Mr. Sowthewell, which was the Kyngs cheaf auditore, and there I was compelled a long tyme to gif attendance upon him at sundre places and many tymes. And there straitly our accompts war examyned, and he well pleaside with them, and thought it reasonable that till all thyngs were performyde the profects of the said lands shulde remane unto the college. But he diede or ever he myght gyff sufficiently information hereof unto the Kyng, and set us at a rest, as after longe examynation of the compte and triall thereof made, he thoughte to bring aboute.

Eyght, After this his death by the importune clamor and cry of my said Lady's servaunts we were called afreshe before Mr. Belknape, which then succedide in the rowme of Mr. Sowthewell, and ther we ware more straitlie handelide; and so long delayed and weriede and fatigue that we must needs lett the lands go, notwithstanding all the right that we hadde thereunto by the graunts of King Edward and of King Henry VII. and the declaratione of my Ladys will, and the putting off the same londs in feoffamente, and also the prof of the sayde will in the Chauncery as stronge as cowthe be made by

any lernyde counsell. But all thys wold not serve us, COLL. &c. XI.
 ther was no remedy, but the Kyng's counsell would take
 the profects of these lands for the Kyng. Neverthelesse
 with grete and longe suyte we optenyde at the last, that
 some recompence might be hadde unto the college for the
 performinge of yt, and so finally my Lady Katyrine which
 bowght for hir soone, the yong Lady Lyell, for certain
 summys of money was bownden as stronglie as lernyde
 counsell cowthe dyvise the bonds, to pay for the behove
 of the same college.

Nynght, considering that this lond thus was taken from
 us, we made farther suyte to have some hospitall or some
 religious housse or benefice to be approporde by the
 Kyng's graunte unto the college; and when after longe
 suyte that was grauntide, we devisede a byll to be signede
 of the Kyng for the hospital of *Ospringe, and so finally *by Faver-
 gatt that same. But what labor then I hadde, what hyme sham in Kent.
 that was encombent, and how long or we cudde establishe
 and make it sure both by temporall counsell and spirituall,
 and how often for this matter then I roade both to Os-
 pringe and to London, and to my lord of Canterbury, or
 that I couthe performe all thyngs for the suyrty therof, it
 war to long to rehearse.

Tenethe, After all this the lady Lyell dyede, and so my
 lady Downshire and hir sone losst the profits of hir londs,
 for the which he and she both was comfortide and coun-
 selide to paie unto us no more money according to their
 obligatione. Thei made it a mateire of conscience becausc
 of the deathe of that yong lady. After many resonyngs
 and many metyngs our counsell avise us to make suyte
 to gett some religious house; and so finallie with moche
 labore and payne we optenyde two nonryes, where was
 dissolute lyving, and never coude by the ordinaries be
 brought to good order. And for the assuring of the same
 moche payne and labor was taken bothe by myself, and
 also by the m^r of the college Mr. Metcalf, whom I sent

COLL. &c. about that bysones, specially for the nunrey of Bromehall,
XI. XII. which was far frome me. He made many journeyes theder,
 and also to my lorde of Salsebury, which was ordinary of
 a benefice to them approp'er'd, which thyngs he did with
 moche lease charge that I cowde have done, and therefore
 I dide commyt it unto his wisdome.

No. XII.

e Registro
 Literarum
 Academ.
 Cantab.

*Clarissimo atque doctissimo Domino Joanni Roffensi An-
 tistiti, J. Fawne Universitatis Cantabrigiæ presidens,
 cum toto Regentium et Non-regentium Cœtu, Salutem,
 &c.*

NULLI non nota sunt tua in nos beneficia, et quidem accu-
 mulatissima, doctissime præsul, quibus hanc nostram aca-
 demiam perpetuo tibi divinxisti. Quis nescit illa duo apud
 nos pulcherrima collegia, alterum jam perfectum florensque,
 alterum brevi ope divina absolvendum, tuo suasu, tuoque
 saluberrimo consilio posita fuisse. Præterea te pastorem,
 te patrem semper experti sumus, experimurque quotidie:
 cui tantum debemus quantum (quod scimus) nemini.
 Proinde immortales tibi habemus gratias, per quem non
 paucula huic nostræ academix accessere ornamenta. Ex-
 tolleremus virtutes tuas nisi compertissimum haberemus te
 tuas laudes (quæ tua est modestia) non nisi gravatim et
 invitis (quod dicitur) auribus accepturum. Nos denuo
 summo te omnium consensu, nostrum creassemus cancel-
 larium, verum aliter amplitudini tuæ visum est. Proinde
 delegimus honorabilem Lincolnensem Præsulem qui
 Regiæ Majestati (quod tibi neutiquam occultum est) adeo
 charus est ut charior esse nequeat. Ad quem tuas literas
 dedisti (uti nobis significatum est) quibus eum ad illud offi-
 cium suscipiendum sollicitares, quo nomine tibi plurimum
 debemus. Nunquam desinis nos demereri, pater amplis-
 sime, quanquam immensis te laboribus et alioquin intolera-
 bilibus, nostrâ causâ non semel onerasti. Cæterum Deus

optimus maximus qui cuncta æquâ lance pensat, tibi gratiam neque citra fœnus relaturus est. In quo exanimi sententia valeas pater pietissime. Cantabrigiæ nono kal. Jun. An. 1514.

COLL. &c.
XII. XIII.

Idem tui Filioli.

No. XIII.

*Joannes Roffensis universo Regentium et Non-regentium
Cetui Cantabrigiæ Academiæ Sa. P.*

e Registro
Literarum
Acad.
Cantab.

VESTRIS literis, quæ nuper erant mihi redditæ, commemorastis mea, primum, in vestram academiam beneficia: deinde animum fuisse vobis ut denuo me cancellarium consensu unanimi creassetis nisi vobis constitisset me potius cupere ut ipsum munus reverendo domino Lincolnensi conferretur; postremo vel ob id eundem dominum delegisse in caput et cancellarium vestrum. Ego vero (ut de beneficijs primum item loquar) optarem magnopere multo cumulatiorem fructum attulissent vobis. Atque utinam in mea potestate situm esset vestram academiam aliquo meo studio, industria, consilijs, excitationibus, laboribus, aut augere aut illustrare posse, tum plane agnosceretis ea quæ adhuc molitus fuerim, perexigui sane momenti esse ac longe inferiora quam sit meum studium erga vos. Quod vero me præ cæteris illo magistratu dignum censuistis, id nimirum ego multo magis honorificum mihi duco quam sit magistratus ipse, ut enim magistratum quis affectet nec Platonis philosophia sinit, nedum christiana detestatur. Verum etsi neutra foret, experientia profectò me ad plenum instruxit quanta sub honoribus illis operitur inanitas. Vester autem de me consensus tam unanimis tot hominum eruditorum non potest non supra esse quam unius hominis modestia debeat expectare. Quod, postremò et pro mea sententia reverendum dominum Lincolnensem illo munere donastis illumque in cancellarium et caput vestrum delegistis, et me ob id devinxistis amplius (si tamen ulla potest accessio fieri) et vos rei vestræ consuluistis plurimum. Neque enim dubito quin ille abundè

COLL. &c.
XIII. XIV. pro sua amplitudine supplebit ea quæ nostra parvitas optare quidem potuit consummare vero nequaquam. Neque enim deest ei aut potestas, quum solus omnia apud regem potest, aut industria benefaciendi, quum ingenio, prudentiaque polleat singulari, aut benignitas denique quando in fautores suos prædicetur et sit suapte natura benignissimus. De me vero omnia polliceri licebit vobis perinde ac de homine quem vestrum esse persuasissimum habetis quacunque in re vobis gratificari potuero. Et Deum optimum maximum obtestor, ut quemadmodum ædificijs res vestra nuper aucta sit, ita et vos cum bonis literis tum virtute crescatis, quatenus indies magis ac magis vestra hæc in Christo floreat academia. Et vos felices valete. Ex Londino, vii^o kal. Junij.

No. XIV.

e Registro
Literarum
Academiæ
Cantab.

Eruditissimo pariter Integerrimo præsuli Domino Johanni Roffensi Episcopo Vicecancellarius Cantuariensis cum toto Regentium et Non-regentium cœtu, S. et felicitatem.

QUANTI NOS facis fecistique semper, doctissime præsul, nemo est qui ignorat: porro tui in nos amoris et beneficentiæ vere patriæ testimonio sunt multifariâ nostram in academiam abs te collata beneficia maxima profectò et splendidissima. Quis nostram beatam non dicet academiam vel hoc nomine quod eum merita est habere filium in quo omnium virtutum imagines repositæ sunt. Quid eruditionem tuam accumulatissimam recenseamus? Quid justitiam, prudentiam, constantiam, liberalitatem? Quid denique reliquas virtutes tuas commemoremus, quæ te omnibus clarissimum colendissimum faciunt, quas aliquando posteritas decantabit? Non licet nobis laudes tuas quæ vel doctissimorum ingenia defatigarent q. sententia depingere: quare eas de industriâ omittimus. Non clam te est, presul amplissime, nos primariam apud nos dignitatem tuo consilio domino episcopo Lincolniensi obtulisse, quam se libentissimè suscepturum dixit si per varia et ingentia hujus florentissimi regni negotia, quibus pene totus addictus

est, sibi liceret; tamen ne repudiatam omnino existimamus ab eo, eum sese nobis fore pollicitus est quem futurum speraremus si oblatum honorem recepisset: quam jam tibi, concordi totius nostræ scholæ consensu, uti antea decretum nobis erat, si amplitudo tua non dissuasisset, offerimus atque donamus, pater pientissime; oramusque ut ea qua soles fronte suscipias, ac sinas nos tuo ductu et auspicijs in bonis literis militare atque proficere quibus tantum per te accessit splendoris quantum vix explicare possumus. Præterea immortales tibi habemus gratias quod epistolam ad nos scribere minime gravatus es, excultissimam quidem et omni nectare nobis dulciorem quæ tuum quam candidissimum erga nos animum quam clarissimè expressit. Sed ne tua sanctissima otia longioribus literis perturbemus, quanquam tibi nostræ literæ, quantumlibet prolixæ non possunt non esse gratissimæ, dicendi finem facimus, et obsecramus ut nostram academiam, uti ante hac semper, juvare ac decorare pergas. Vale præsul dignissime.

No. XV.

Ornatissimo atque Doctissimo Domino Joanni Roffensi E Registro
Episcopo Cancellario nostro, &c. Joannes Eccleston Literarum
Vicecancellarius Cantabrigiensis cum toto Cetu Regentium et Non-regentium, S. D. Acad. Cantab.

QUAS tibi gratias agemus pro tuis immensis erga nos beneficijs et his quidem multifarijs ne cogitare quidem possumus, doctissime præsul; quippe qui nos tibi magis ac magis devincire labores quanquam sumus devinctissimi. Quod ex hoc liquet, quod nemo est nostratium cui non vel nomen episcopi Roffensis gratissimum est, qui non dicit te decus et ornamentum scholæ nostræ, a quo tot beneficia accepimus ut plura citra ruborem haud possumus admittere: tu nos adeo demereri conaris ac si nihil omnino in nos contulisses. Quis istos tuos conatus, pulcherrimos sane et Christi milite dignos, non plenissimo ore laudabit? Potuisset esse contenta nostra academia splendore illo

COLL., &c. quem affers illi et tuis moribus candidissimis et eruditione
 XV. XVI.

syncerissima absolutissimaque. Ceterum tu niteris (sic interpretamur omnes) omnium filiorum in hanc nostram matrem communem pietatem non modo adæquare sed et superare. Rarissimæ sunt virtutes tuæ, clarissime præsul, quæ vel ignotos in tui admirationem attrahunt alliciuntque. Quibus nos provocati atque compulsi amplissimum tibi apud nos honorem donavimus non nisi cum vita finiendum. Accepimus te Romam brevi profecturum quod tibi et nobis qui ex te pendemus bene vertat. Quare te oramus et obsecramus ut si quibus in rebus nobis prodesse possis, potes autem in pluribus, (quippe qui optime nosti quibus nobis opus est) nostræ recorderis academiæ. Verum vicecancellarius noster istæc tibi latius explicabit, cui fidem adhibeas cupimus. Præterea oramus ut nostra confirmanda privilegia cures. Nos ad *varios hujus regni præsules scripsimus, atque obsecravimus ut nobis amici sint in privilegijs nostris muniendis. Vale doctorum præsulum decus. Cant. pridie Id. Febr. An. 1514.

Idem tui Clientes.

No. XVI.

Ex Originali Instru-
 mento Sigillo avulso.

Litteræ procuratoriæ Episcopi Roffensis Willielmo Fresell, &c.

JOHANNES permissione divina Roffensis episcopus dilectis nobis in Christo filijs domino Willielmo Fresell priori ecclesie nostre cathedralis Roffensis et Ricardo Chetham priori de Ledes Cant. dioc. Salutem, gratiam, et benedictionem. Quoniam Regia majestas nos misit ad præstandam obedientiam summo pontifici Leoni decimo, atque ad interessendum in concilio generali quod nunc Rome in basilica Lateranensi celebratur; idcirco de vestra probitate, fide, et circumspectione confisi, vobis conjunctim vices nostras committimus et auctoritatem con-

* Scriptæ erant litteræ eodem die et anno, ac eodem ferè tenore, vis. de tuendis privilegijs, D. Tho. Ebor. episcopo, D. Guil. Cant. archiepiscopo, D. Richardo Winton. episcopo, et D. F. Dunelm. episcopo.

ferendi omnia et singula beneficia seu officia vacantia seu COLL. &c.
 vacatura ad nostram collationem, patronatum, seu presen-
 tationem quocunque jure spectantia, personis tamen per ^{XVI.}
 nos assignandis neque alijs, ut de vestra in hac parte fide- ^{XVII.}
 litate confidimus. Presentatos quoque et presentandos ad
 ecclesiastica beneficia,strarum civitatis et dioc. predict.
 quorum admissio, institutioque ad nos de consuetudine et
 jure poterint pertinere quovis modo admittend. et cano-
 nicè in eisdem instituend. ac in corporalem possessionem
 eorundem inducend. demandand. et faciend. induci: lite-
 ras etiam dimissoriales clericis ydoneis in dioc. nostra
 oriund. concedend. Ecclesiasque et cimeteria nostre dioc.
 si que per sanguinis effusionem aut aliter pollut. fuerint,
 curand: ut per suffraganeos quoscunque reconcilientur:
 nec non quoscunque questores cum suis indulgentijs ad
 dioc. nostram se transferen: admittend: et elimosinas a
 diocesanis nostris eo pretextu petend: et colligend: licen-
 ciand: ceteraque faciend: exercend: et expediend: que in
 premistis necessaria fuerint, seu quomodolibet opportuna.
 Hancque vestram auctoritatem tamdiu duraturam esse
 volumus quod nos duximus eam revocandam. In quorum
 omnium testimonium atque fidem sigillum nostrum presen-
 tibus apposuimus. Dat. in manso nostro juxta LAMEHITH-
 MERSCHE decimo die mensis Marcij, Anno Dni. m^o.
 quingentesimo quarto decimo, et nostre consecr: Anno
 undecimo.

No. XVII.

Extract. e privatis Roffensis Statutis. Cap. 1.

HACTENUS pro communi gubernacione totius collegij sta-
 tuta dedimus, nunc pro peculiari quorundam institutione
 quæ speciatim ad me pertinent dicemus.

Eximia princeps domina Margareta Richmondia Com:
 fundatrix hujus collegij usque adeo mee exiguitati favit ut
 pinguorem episcopatum omnino studuit mihi comparasse.
 Quum ergo mortem instare sibi noverit, nec posse quod
 destinaret perimplere, non parva me donavit pecunie

COLL. &c. summa qua in privatum meum commodum uter. Quam
 XVII. rem et hic ob id memorare volui ne quis me putet ex ali-
 enis bonis tantum emolumentum prestitisse collegio, sed ex
 meis proprijs. Ego igitur quum abundè satis ad honestum
 presulis victum ex episcopatu Roffensi quotannis acce-
 perim, cernensque periclitari collegium ob subtractionem
 prediorum ad valorem annuum quadringitarum librarum,
 de quibus alibi diximus, duxi potius non solum illam pecu-
 niam verum etiam bonam ex proprijs partem (ob salutem
 anime mee) theologis educandis impendam, quam vel pro-
 pinquis meis, vel ob alias vanitates juxta morem hujus
 sæculi, aut nequiter aut inutiliter distrahendam. Nimirum
 ut ita non solum anime mee saluti consulerem, verum etiam
 ut hoc exemplo complures alios excitarem ut adjutrices
 manus collegio similiter apponerent.

500 lib. Contuli igitur magistro ac socijs collegij divi Johannis
 Cantabrigie preter quingentas libras a me jampridem in
 communes usus expositas, et preter ornamenta quedam
 haud exigui valoris, tantam pecunie summam quanta suf-
 ficit ad fundos et agros annui valoris sexaginta librarum
 ultra reprisas, ut vocant, coemendos. Cujus donacionis
 intuitu magister ac socij michi plurima concesserunt ad
 anime mee salutem quæ quotannis intra collegium fieri de-
 bere polliciti sunt, et, quemadmodum in cartis indentatis
 liquet, seipsos obligarunt quatenus pro eisdem inviolabi-
 liter observandis certas ordinationes facerem quæ futuris
 temporibus imperpetuum custodirentur. Ego igitur per
 hec scripta volo, statuo, et pro suprema voluntate mea
 decerno, quod preter sociorum et discipulorum numerum
 qui vel per dictos executores vel per aliorum peculiarium
 fundatorum ordinationes instituti sunt, aut in posterum in-
 stituentur, alij quatuor socij et duo discipuli ex mea funda-
 cione perpetuis futuris temporibus intra ipsum collegium
 ex bonis ipsius collegij sustentabuntur qui paribus per
 omnia commodis emolimentis ac libertatibus pociuntur
 atque ceteri sive socij seu discipuli qui per me et dictos
 executores superius ordinati sunt, &c.

Then he proceeds to enumerate the qualities, proprieties, &c. of those who are to be on his foundation. COLL. &c.
XVII.

Three of his fellows and two scholars to be elected out of the county of York, of which the Bishop himself was a native, the other fellow out of the diocese of Rochester. Two of them at least to be priests.

In missis autem eos precari volo peculiariter et satisfactorie pro anima mea, sic tamen ut animam clarissime principis domine Margarete Richmondie, cui non secus atque proprie genetrici fuerim obnoxius, singulariter habeant commendatam. Insuper et animam illustrissimi Regis Henrici septimi filij ejusdem principis qui citra cujusquam preces aut intercessionem, aut obsequium aliquod, id quod ipse palam ac sepius testatus fuit, episcopatum Roffensem michi contulit.

Cap. II. Constituit quatuor examinatores, primum pro literis quas vocant humanitatis, alterum pro dialecticis, tertium, pro mathematicis, et quartum pro philosophicis. —Salarium vero singulo cuique examinatori quadraginta solidorum—solvend:

Cap. III.—duos prelectores—alter qui Grecis literis juniores, alter qui provectiores Hebraicis erudiat.—Prelector Grecus salarium trium librarum quotannis accipiet —Hebreus salarium quinque librarum—quotannis, &c.

Cap. IV. *De Trigintaliis et Exequiis.*

—Volo ut singulis annis viginti quatuor trigintalia, quæ vocant, pro salute anime mee distribuantur his qui probacioris vite sacerdotes fuerint intra collegium et magis egeni —pro quovis trigintali sic dicto decem quisque solidos accipiet, &c. Volo etiam preter hec singulis annis perpetuò futuris ipso anniversario die mei obitus. Exequie per magistrum et socios atque discipulos intra collegij sacellum celebrentur, cum missa in crastino, pro quarum exequiarum misseque temporibus duo semper ardebunt luminaria cerea super altare summum, et quatuor alia circa monumentum, pecunieque cujusdam distributio fiet ad hunc

COLL. &c. modum. Magister habebit sex solidos et octo denarios,
 XVII. singulus quisque sociorum tres solidos et quatuor denarios,
 XVIII. unusquisque discipulorum unum solidum, si tamen omnes
 hi presentes fuerint integre tam exequijs quam misse.—
 Pro cereorum consumptione—allocamus tres solidos et
 octo denarios.

No. XVIII.

Historiola Benefactionum Episcopi Roffensis, &c.

e vet. libro
 rubro, fol.
 61. 62. &c.

Quom mortalium memoria, ut Seneca scribit, ex omnibus
 animi partibus res maxime delicata et fragilis sit, in quam
 senectus primum incurrens tyrannidem exercet gravem,
 tum ætate quassans tum longa desidia enervans et dissolvens,
 ut si maxime vellet antiquum robur et vim præstare non
 poterit: operæ pretium fore duximus illi modis omnibus
 subveniendum remedio, ut unico, ita presentissimo, nempe
 literarum testimonijs, quorum beneficio factum videmus ut
 præclarissima majorum nostrorum facta recenti hominum
 memoria passim celebrentur, et hodie vivant seu heri acta,
 quorum alioqui dignitatem dies, tempus, et rerum omnium
 edax vetustas non modo non obfuscassent indignè sed et
 perpetuis oblivij tenebris demersissent. Quod sin ullum
 sit ingratitude genus vel odiosum magis vel modis omni-
 bus execrandum quam acceptorum beneficiorum inciviliter
 oblivisci, quanto execrabilius videri poterit si nos homines
 studiosi, et lingua quam manu meliores in illud vitij incide-
 remus a quo quam maxime abesse oporteat, hoc est, si
 beneficia libenter accepta vel non agnosceremus vel non
 libenter, quorum utrumque cum in alijs ne tollerandum
 quidem existimemus, in nobis abominandum prorsus non
 censebimus? Hinc est ut posteris testata esse voluerimus
 maximorum beneficiorum insignem magnitudinem quæ
 magnus ille et incomparabilis in bonis literis heros reve-
 rendus pater Joannes non sine numine Roffensis episcopus
 in celeberrima duo Cantabrig: academiæ collegia feliciter
 contulit, Christi inquam servatoris nostri optimi maximi, et
 ejus castissimi mystæ Joannis. Cujus unius presulis muni-

ficentiæ et industriæ acceptum referamus oportet quod COLL. &c.
XVIII.
hæc duo clarissima studiosorum musæa hodie conspiciuntur non minus sumptuosis ædificijs decorata quam opibus, prædijsque magnis ditata, ad Dei omnipotentis cultum et honorem, ad rei literariæ et virtutis incrementum, et demum ad totius academici singulare decus et ornamentum.

Ceterum hic rem paulò altius recenseamus oportet oratione magis vera quam venusta, ut ostendamus quam magno labore et negotio hoc tam præclarum et memorabile fascinus tandem effectum sit. Atque hoc libentius quo posteris testatissimum relinquamus non magis debere nos hæc collegia ipsi optimæ fundatrici quam ornatissimo huic præsuli. Et ut ab initio exordiamur. Versabatur per idem tempus eximius iste præsul Roffen. in nobilissimæ principis dominæ Margaretæ Richmondæ et Derbiæ comitissæ famulatio, qui quum apud omnes illius celebratissimæ aulæ proceres omnia potuit (tanta erat virtutis quæ in eo lucebat et morum autoritas) tum principi longe charissimus habebatur, cui et a confessionibus erat, et a secretioribus consilijs intimus, cujus semper sacro-sanctoque consilio in rebus omnibus obsecuta est pientissima princeps, seu Græci olim prudentissimo Nestori. Atque ut ad rem proprius accedamus.

Impetraverat jam prius princeps hæc inclitissima a Rege illius ætatis omnium illustrissimo Henrico Septimo et filio suo quam carissimo facultatem ut liceret in Londinensi monasterio occidentali (vulgus Westmonasterium vocat) magnifica quædam et tantâ principe digna pro arbitratu suo facere, nam illum sibi sepulturæ locum elegerat. Hanc rem insignissimus præsul Roffensis secum dispiciens, et luce clarius videns tantum bonorum acervum in meliores usus converti posse, nacta opportunitate, principis animum ab incepto instituto revocare adgreditur: suadet ut tanta pietatis opera (omisso loco satis superque opulento) in Cantabrigiensem academiam convertat; ita futurum ut Christi doctrina et bonæ literæ indies augescant et virtus in pretio magis habeatur. Quid multis? persuadet facile

COLL. &c. XVIII. viragini sanctissimæ quam ceu mollissimam ceram ad meliora semper inflectere potuit. Illa Christi optimi maximi gloriam suæ præferens tam pijs consilijs mox annuit. Verum huic rei nonnihil obstare asserens votum quod a rege prius obtinuerat, et si ille Regis animum et huc inflectat, id quod vix fieri posse putabat quum Rex ipse item illic esset humandus, se libentissime hortatui obtemperaturam. Et hic sanè plus quam herculanus erat nodus. Verum enimvero non recusavit hanc provinciam, quantumvis arduam, benignissimus presul Roffensis, quæ sua erat semper in literarum studia et studiosos mira charitas: nactus est a principe pientissima ad regem literas quarum summa erat, ut mutato instituto, præclari quidpiam Cantabrigiæ agat. Rex, ut erat ingenio admodum felici, et prudentiâ verè regiâ, acceptis benignissime matris literis et rem omnem a præsule Roffensi vivâ voce edoctus (nam is negotium hoc apud regem obibat) delectatus supra modum rara præsulis prudentia, ejusque facundia plusquam Ulyssæa, maternis precibus acquievit. Dedit episcopo ad illa literas suâ ipsius manu exaratas ad sept. Idus Augusti et imperij sui anno - - - - laudat pientissimæ matris in bonas literas pietatem, gratulatur animo tam provido et benigno, breviter quidvis obeundi summam illi copiam fecit, nimirum ex hoc tam præclaro fascinore cernens, et magnum christianæ ecclesiæ fructum oriturum, et suo regno immortale decus.

Jam princeps Margareta initium rei successisse gaudens, nulla mora Christi collegium adgreditur, extruit, neque prius ab incepto destitit quam et opibus et prædijs illud absolvisset. In qua quidem re, quamvis fortitè et industria summa elaboravit, Roffensis præsul, priusquam ad periodum deduceretur, tamen hinc occasio, divinitus non dubito, data est in qua ejus virtus clarius omnibus elucesceret. Nempe, Christi Collegio consummato, Oxonienses doctores aliquot qui in principis famulatio id temporis agebant, et inter hos precipue quidam vir magne authoritatis, neque minoris fame principem in sua vota pellicere student,

hortanturque ut tale quidpiam Oxonii ageret, quale jam COLL. &c. XVIII. fecerat Cantabrigie. Ostendunt monasterium dive Fridiswyde, impensiùs orant ut illud in studiosorum collegium mutare dignaretur. Id illi facillimum esse quæ nihil non et opibus et potentia potuit. Quo beneficio affirmant nomen illius in utraque academia perpetuo celebratum iri. Neque vero hoc negotium vel segniter vel oscitanter egerunt Oxonienses illi, sed magnis et continuis precibus nunquam non inculcabant ut parum abfuerit quod non eorum votis assentiretur princeps inclitissima, si non mature intervenisset presul Roffensis. Is importunas eorum conspicatus preces, simulque hospitalis divi Joannis evangeliste in Cantabrigia ruinam dolens, quod jam ad summam miseriam et inopiam incolarum luxu et intemperantia devenerat, Christo benignissimo gratius futurum credens hoc in loco pietatis opera exhibere quam illic, ubi aut parum aut nihil erat opus (noverat enim quos fautores jam tum habebat Oxonia) munificentissimam principem ocius compellat, exponit misere domus miseram ruinam, ostendit, ut revera erat, predia divendita, terras luxu gulaque absumptas, ornamenta exposita, supellectilem prorsus corrosam, et ne sacris quidem parcitum, divina officia intermissa, hospitalitatem celebrari nullam, prepositum domus creditoris metu latitare, confratres paucos, plus minus quatuor, modò per urbem, modo per rura divagari in maximam sue religionis infamiam atque scandalum. Hospitale ipsnm prope desertum, sed ita alieno ere oppressum: ut ne omnia quidem predia, si integra mansissent debita illius magnitudinis vendita persolvissent. Breviter ita dilapsa et deploranda omnia ut nulla esset salutis vel tenuissima spes nisi numen aliquod presentius aspiraret. Hec ut audivit benignissima princeps ab eo cui semper fidebat maximè, deplorate domus sortem miserata, et si habuit in diversa instigantes plurimos, ab episcopo tamen Roffensi id persuasa, quod ipsa per se probe intelligebat, nullum beneficium vel melius vel utilius collocatum iri posse quam tam pestiferas et steriles herbas a fertili solo ocius extirpare, et quasi jacto

COLL. &c. novo semine, uberrimam messem Christo parare unde
XVIII.

nova subinde et fertilissima repullaret seges in maximum Christiane fidei incrementum evasura, convertit se totam ad preclarius sed difficilius et magis arduum pietatis opus. Huic omnibus nervis incumbit, ut ex paupere, si liceat dicere, tugurio insigne, quale nunc est, collegium erigatur. Obtinuit ad hoc negotium capessendum a pontifice maximo auctoritatem, pariter et a filio suo Henrico Septimo, neque vero dissimilem ab Eliensi tunc temporis episcopo et antiquae domus fundatore impetrarat facultatem: idque decimo idus Martij, Rege Henrico Septimo annum jam agente imperij sui vicesimum quartum. Sed heu prematuram mortem que tantum bonum mortalibus diutius invidebas!

Mar. 23,
1508.

Ægrotabat nobilissima hæc princeps satis quidem periculose, digna certè quæ nunquam vel ægrotaret vel moretur. Quæ quum finem vitæ sibi instare intelligebat, neque enim læta promittebant medici optimi, hujus præsulis hortatu et consilio, qui nunquam hoc illi inculcare desinebat, accitis ad se proceribus ijs quos a consilijs intimos magis habuit, syngraphum protinus confici curat quo inceptum opus absolveretur. Verum prius quam illud ob-signatum sit sanctissima princeps animam cœlo reddidit ubi ob beatissime transactam vitam non dicendis gaudijs cum cœlicolis fruitur. Expiravit vero tertio calendas Julias ipsissimo die quo mortalibus sanctum colitur festum apostolorum Petri atque Pauli; sepulta magnifice, ubi et obijt, Westmonasterij.

June 29,
1509.

Instabat jam totis viribus huic operi Roffensis episcopus et reliquos huc omnes urgebat executores, ne nobilissimæ principis nuper sublatae voluntatem irritam fieri sinerent. Convenit Eliensem episcopum qui viventi principi assentiebat ut desolata domus in collegium mutaretur: at ille jam sententiam mutarat suam, neque jam pridem promissis stetit. Hac contentione annus elapsus est. Tandem quid precibus, quid pretio flexus, omnem sui juris et vim et robur Roffensi presuli concessit ut ille omnia pro suo arbitratu ageret. Neque tamen adhuc facultas erat collegium

aggrediendi, verum tot subinde restiterunt mala et quasi ^{COLL. &c. XVIII.} hydræ capita, absoluto uno decem protinus oriebantur, ut nunquam crediderim hoc opus aliquando absolvi potuisse citra presentissimum Dei numen, et hujus presulis herculeos labores. Quid enim loquar sudores et negotiorum undas quas annos plus novem in Regio Consilio passus est orando, ambiendo, et nihil non agendo quod hoc negotium promoveret? Quid dicam quot interim pericula subivit, quæ discrimina etiam vitæ pertulit, ab ijs proceribus qui olim principi famulabantur qui pientissimæ principis bona omnia sibi et vi et potentia vendicassent? quorum profecto cupiditatem et furorem cohibere hominis erat plus quam mortalis. Qui et eo insanix devenerunt ut regis, qui nunc est, florentissimi animum modis omnibus sollicitarent ne hoc collegium ædificaretur. Quid multis? nunquam adducar ut credam Trojanum illum Æneam, per tot maria tempestate et errore vectum, majore cum labore aut discrimine urbem Lavinium condidisse, quam laudatissimus presul iste divi Joannis collegium. Ceterum devictis tandem monstis omnibus, non parum adjuvante R. P. Gulielmo Cantuariensi archiepiscopo ut principis testamentum robur haberet, a Rege, ab Eliensi, ab omnibus, prius concessum opus sed hactenus dilatum, tandem bonis avibus aggreditur quinto nonas Aprilis, regnante jam Henrico ^{April 20,} octavo, et ejus imperij anno secundo. Huc accessit ^{1511.} R. P. D. Thomæ Eboracensis archiepiscopi cardinalis autoritas quæ in hoc negotio multum valuit.

Erecto igitur hoc collegio et antiquæ domus prædijs redemptis, quum neque illa neque fundatricis bona satis essent ut numeris omnibus absolveretur, rursus ad Henricum ejus appellationis octavum regem florentissimum confugit: cujus favore simul et Reginæ nobilissimæ hospitale de Ospringe huic collegio est adjectum una cum duobus monialium monasterijs quæ ob perditissima incolarum scelera et mores corruptissimos et magnum chisticolarum dedecus mox erant ruitura. Quæ quantâ cum sollicitudine, quantis precibus et obsequijs apud regem, apud car-

COLL. &c. dinalem, et horum procures ægrè tandem obtinuit, vix
 XVIII. unquam (ita me Christus servet) credidissem, si non hisce
 videris oculis.

His utcunque adquisitis, dignissimus iste præsul cætera
 adjecit, leges condidit, quas statuta vocamus, virtutis mo-
 rumque optimas tutrices. Postremò, et veluti generosissi-
 mus vermes seipsum enervans, hoc collegium refersit,
 seipsum spolians has ædes ditavit, seipsum deprimens hoc
 musæum ornavit. Breviter et de suo diripiens huc con-
 gessit quicquid vel ornamenti vel supellectilis habemus.
 Et novissimè, ut e tantâ multitudine paucula recenseamus,
 hæc quæ singillatim subscribuntur e bonis suis collegio
 dedit.

Lib. s. d.

First, the reverend father in God John Bp.
 of Rochester hath gevyn to thys college of St.
 John the Evangelyst in Cambridge, for the
 fowndacyon of 4 fellowys and 2 discipylls for
 ever in the said college, and for the mortmayn-
 yng of Ospryng to the said college - 500 0 0

Item, the said reverend father in God hath
 gevyn these parcells followynge.

First, a chales wyth a paten gylte pon-
 deryng - - - 27 unc.

Item, 2 chalessys parcell gylte weying toge-
 ther - - - 26 unc.

Item, a pix of silver and gylte gravyn wythe
 roseys, lydd perteynyng to the same, havynge
 in the topp a crosse and a crucifyx ponderynge
 28 unc.

Item, a standyng cuppe gylt with a cover
 pondering - - - 14 unc.

Item, 3 rector stanys twayne of them cappyd
 with sylver, pondering - 16 unc.

Item, 2 grett salts with a cover all gylte
 ponderyng - - - 52 unc.

Of the Ryght Rev. Father.

	Lib.	s.	d.	COLL. &c. XVIII. XIX.
Fyrst, a swett of vestments of rede clothe of gold with spangs and crossys in the myddyst, embrothered wythe Jesus Cryste and portcolis to the value of - - -	26	0	0	
Item, the copys of the same clothe of golde wyth lyke velvet and embrothered to the value of - - -	34	6	8	
Item, a vestment of clene clothe of golde wyth the bake of embrothered worke of the value of - - -	7	13	4	
Item, a vestment of grene velvet embrothered with rede rosys wyth a crose of golde of stole warke wroght wyth daysys to the value of - - -	15	0	0	
Item, 2 other paulys for the hye altar, paned wyth clothe of gold and cremesyn velvett to the value of - - -	6	13	4	
Item, 4 casys of clothe of golde wyth finne corporalls perteynyng to the same to the value of - - -	0	26	8	
Item, 2 Spanyshe napkyns wroght wythe sylke and gold.				
Money payd for thes by the said reverend father in God - - -	1128	10	0	
Item, payd for the mortemaynyng of High-ham and Brome-hall - - -	200	0	0	

No. XIX.

To my Lorde of Rochester.

My Lorde, we commende us unto you in our herty maner. ^{An Ori-}
 So it is the King's Grace hathe knowlege that an ambas- ^{ginal.}
 sadour sent from the Poope's Holynes to his Grace w^t a
 sworde and cap of maintenaunce is comen to Calais, and
 intendith immediatly to take shipping to arrive at Dovor.

COLL. &c. XIX. XX. Wherupon it is appointed, that the priour of Crist's Church of Caunterbury shall mete w^t the said ambassadour beyonde Caunterbury, and so to entertayne hym in his house, and afterwards upon monycion to be geven to hym, shal conduyte hym to some place convenient betwene Sitingborne and Rochester, where the King hath appointed that your Lordship, the Master of the Rolles, and Sir Thomas Boleyn shal mete with hym, and so conduyte him to London. Wherfore the King's Grace willeth and desireth you, that after the comyng to Rochester of the said Master of the Rolles and S^r Thomas Boleyn, and knowlege by you had of the arrivall of the said ambassadour at Caunterbury, ye then geve knowlege to the said priour of Crist's Church when ye shal be in redynes to receyve the said ambassadour, so that he maye accompanye hym to the place betwene you to be appointed accordingly. And therupon ye wol entertayne the said ambassadour, and so to conduyte him to London as is aforesaid. And in cace ye be not nowe at Rochester, ye wol upon knowlege therof repaire thider, where the Master of the Rolles and Sir Thomas Boleyn shal be with you accordingly. And Jhu preserve your Lordship. At Baynard Castel the xii day of May.

T. Norfolk, T. Dorsett, Ri. Wynton, T. Duresme.

No. XX.

Survey of London, p. 136, ed. 1618. *John Stow's account of the worthy houskeeping of Thomas Woolsey, archbishop of York, and Cardinal.*

You shall understand that he had in his hall, continually, three tables or bords, kept with three principall officers, to wit, a steward, who was alwaies a priest, a treasurer, a knight, and a controler, an esquyre. Also a coferer, being a doctor, three marshals, three yeomen ushers in the hall: besides two groomes and almners. Then in the hall kitchin, two clarkes of the kitchin, a clarke controler, a surveyor of the dressor, a clarke of the spicery: all which

(together) kept also a continuall messe in the hall. Also COLL. &c.
 in his hall kitchin, hee had of master cookes two, and of XX.
 other cookes, labourers, and children of the kitchin, twelve
 persons: foure yeomen of the ordinary scullerie, 4 yeomen
 of the silver scullerie, two yeomen of the pastrie, with two
 other pastelers under the yeomen.

In the privie kitchin, hee had a master cooke who went
 dayly in velvet and sattin, with a chaine of gold about his
 necke, and two other yeomen, and a groome. In the
 scalding house a yeoman and two grooms. In the pantrie
 two yeomen. In the butterie two yeomen, two grooms,
 and two pages. In the chanderie two yeomen. In the
 wafarie, two yeomen. In the wardrobe of beddes, the
 master of the wardrobe, and ten other persons attending.
 In the laundry, a yeoman, a groome, thirtie pages, two
 yeomen purueiors, and one groome. In the bakehouse, a
 yeoman, and 2 grooms. In the wood-yard, a yeoman,
 and a groome. In the barne, one. In the garden, a yeo-
 man, and two grooms: a yeoman of his barge; a master
 of his horse, a clarke of the stable, a yeoman of the same;
 the sadler; the farrier; a yeoman of his chariot; a sump-
 ter-man; a yeoman of his stirrop; a muleter, and sixteene
 grooms of his stable, everie one of them keeping 4 geld-
 ings. Porters at his gate, two yeomen, and two grooms.
 In the almnorie, a yeoman and a groome.

In his chappel, he had a deane, a great divine, and a
 man of excellent learning: a sub-deane, a repeater of the
 quire, a gospeller, a pisteller; of singing priests tenne; a
 master of the children; twelve seculars, being singing men
 of the chappel; ten singing children, with a servant to at-
 tend upon the children. In the revestry, a yeomen, and
 two grooms; over and beside divers retainers, that came
 thither at principall feasts.

For the furniture of his chappell, it exceedeth my capa-
 city to declare, or to speake of the number of costly orna-
 ments, and rich jewels that were used in the same conti-
 nually. There hath bin seen in procession about the hall

COLL. &c. foure and forty very rich coapes worne all of one sute;
 XX.

besides the rich crosses and candlestickes, and other ornaments belonging to the furnishment of the same. He had two crosse-bearers, and two pillar-bearers in his great chamber. And in his privy chamber these persons: first, the chiefe chamberlaine and vice-chamberlaine. Of gentlemen ushers (beside one in his privy chamber) he had twelve daily waiters: and of gentlemen-waiters, in his privy chamber he had sixe; of lords, nine or ten, who had (each of them) two men allowed to attend upon them: except the Earle of Darby, who alwaies was allowed five men. Then had he of gentlemen, cup-bearers, carvers, sewers, both of the privie chamber, and of the great chamber, with gentlemen (dayly waiters there) forty persons. Of yeomen ushers, sixe; of groomes in his chamber, eight; of yeomen in his chamber, 45 dayly. He had also alms-men, sometime more in number, than at other times.

There was attending on his table dayly, of doctors and chaplaines (beside them of his chappel), 16. A clearke of his closet, two secretaries; two clearks of his signet; and four councellers, learned in the lawes. And forasmuch as it was necessary, to have divers officers of the chancery to attend upon him, that is to say, the clearke of the crowne, a riding clearke, a clearke of the hamper, and a clearke of the ware; then a clearke of the checke (as well upon the chaplaines, as on the yeomen of his chamber) hee gave allowance to them all. He had also foure footmen, who were cloathed in rich running coats, whensoever hee rode on any journey. Then had hee an herald at armes, a serjeant at armes, a physician, an apothecarie, foure minstrels, a keeper of his tents, an armorer, an instructor of his wards, two yeomen of his wardrobe of robes, and a keeper of his chamber continually in the court. Hee had also in his house the surveyor of Yorke, and a clearke of the greene-cloth: all these were dayly attending, downe lying and uprising, as wee use to say, and at meales. Hee kept

in his great chamber, a continual table for the chamberers, COLL. &c. XX. XXI. and gentlemen officers : having with them a messe of the young lords, and another of gentlemen. And beside all these there was never an officer, gentleman, or other worthy person : but he was allowed in the house, some three, some two, and all other, one at the least, which grew to a great number of persons. Thus far out of the check-roule : besides other officers, servants, and retainers, and suters, that most commonly dined in the hall.

No. XXI.

Pro exequiis publicis D. Roffensis cancellarij nostri celebrandis in collegio divi Johannis statutum.

UNIVERSIS Christi fidelibus et sanctæ ecclesiæ filijs Jo- e libro procuratoris, p. 140. hannes Edmunds sacræ theologiæ professor et Cantabr. academiæ vicecancellarius, necnon unanimis regentium et non-regentium cœtus salutem dicit sempiternam.

Quum piæ memoriæ venerabilis pater et hujus almæ academiæ nostræ cancellarius dignissimus dominus Johannes Fischer Roffensis ecclesiæ vigilantissimus pastor et episcopus nullum non moverit lapidem, imo huc semper omnem animi sui vim et conatum destinavit ut istiusmodi egregium aliquod fascinus apud nos aliquando patraret, quo tum sibi Christum demereri posset, tum nos omnes beneficijs suis obnoxius redderet : planè id ipsum (ingenuè fatemur) jamdudum ab illo effectum est. Effectum est autem quod tum in Christi optimi maximi gloriam et hujus academiæ nostræ ingentem honorem, tum in pauperum scholasticorum hic studentium et Christum ac bonas literas imbibere volentium utilitatem quam plurimum cesserit. Primum etenim magni pretij vestimentorum seriem et capam, ut vocant, quibus in defunctorum exequijs, sed maximis duntaxat, utimur, ex panno aureis filis intexto academiæ nostræ contulit ac liberali munificentia donavit, ut hic complura alia ejus beneficia quibus nos cumulavit,

COLL. &c. prætereamus. Ad hæc, quod præcipuum est, singulari
XXL prudentia sua solus effecit, verè paternum erga nos gerens
 affectum, ut duo præclarissima illa et maxima academïæ
 nostra decora et ornamenta, Christi servatoris et divi
 Johannis evangelistæ collegia illustris memoriæ nobilissima
 illa fœmina domina Margareta Richmondïæ et Derbiæ
 comitissa hic apud nos in subsidium pauperum scholastico-
 rum ex imis fundamentis erexerit, fundavit, et annuis ac
 perpetuis quidem illis tum dotaverit, tum ditaverit redditibus
 amplissimis. Quibus tum utrisque collegijs prædictus
 venerandus pater plurima de suo postea contulit emolu-
 menta, et magnifica beneficia, usque adeo ut vel hinc
 præcipui benefactoris nomen emeruerit, et eo utroque in
 loco sed præcipue in collegio divi Johannis donatus sit.
 Præterea idem vere pius vir ac venerandus pater prædictæ
 comitissæ hoc quoque persuasit ut gratis theologicam hic
 atque ita perpetuo duraturam institueret lectionem, nec
 non et verbi divini evangelistam, hoc est, publicum univer-
 sitatis nostræ concionatorem. Quibus quidem nominibus,
 quum nos illi plurimum debere constet, nos ergo hujus
 almæ academïæ vicecancellarius et uterque cœtus regen-
 tium et non regentium officio nostro, uti par est, respondere
 cupientes, et summum quod habemus pretium vicissim illi re-
 pendere satagentes. In perpetuam tantorum illius in nos col-
 latorum beneficiorum, et tantæ gratitudinis memoriam, mo-
 numentum aliquod insigne tanto patrono dignum reposituri:
 ecce annuam illi, ex more, liturgiam, id est exequiarum et
 missæ sacrum seu anniversarium, ut dicitur, cujusmodi pro
 reliquis collegiorum fundatoribus atque præcipuis bene-
 factoribus nostris quotannis celebrare ex pacto tenemur
 ad modum exequiarum et missæ a nobis celebratarum in
 collegio Christi, eo videlicet die quo illum feliciter mortem
 obire contigerit, vel alio quopiam intra octo proximè
 sequentes dies in collegio divi Johannis offerimus, promit-
 timus, et per præsentés ad singula prædicta nos et suc-
 cessores nostros obligamus singulis annis in futurum obser-
 vanda. Volumus insuper et ordinamus ut hoc scriptum

statuti vim habeat, et inseratur inter reliquas sanctiones nostras et senatus-consulta. COLL. &c.
XXI.XXII.

Datum in utroque senatu Cantabrigiæ nostro anno domini millesimo quingentesimo vicesimo octavo mensis Januarii die penultimo.

No. XXII.

Ad Roffensem ab Academia.

QUANTUM tibi debet æternumque debebit hæc nostra quanquam non magis nostra quam tua, amplissime præsul, respublica, quippe cujus tu et caput et gloria prima es, quamque multis tibi nominibus obstrinxisti consilio, auxilio, beneficentia, favore; quamvis nec epistolari brevitate complecti, nec verbis explicari satis et pro rei dignitate queat: tamen silentio præterire, præterquam quod ingratiissimum fuerit, et fascinus nullis victimis expiabile, etiam summo justoque dolore nos afficeret plus conspici humanitatis in literis atque studijs nostris, quam in factis moribusque. Quorum illud, nimirum ingratos esse, hominum nullorum esse putamus (si modo homines esse velint) nedum Christianæ philosophiæ ac persuasionis candidatorum quibus eum sanctissimi servatoris nostri et præsidis Christi ore præcipiatur ut et nos devoventibus bene comprecemur et malefacientibus beneficiamus, et pro ijs oremus qui nos lædunt insectanturque: quanto magis nos benevolos exhibere gratosque ijs esse oportebit qui multis nos magnisque beneficijs demerentur? Istud monstri simile profectò fuit homines humaniori literaturâ imbutos et musarum gratiarumque studijs excultos ab ineunte ætate, moribus tamen esse ita barbarie efferatos ut nullum nec humanitatis vestigium retinere, nec grati benevolique animi signum præferre vel possint vel velint: præsertim dominationi sua obæratos tot tuis in nos tamque magnificis, nullo non tempore et loco collatis beneficijs. Quorum quædam nobiscum dum cogitamus vel illa quæ oculis quotidie nostris obversantur, præclaræ academiciæ nostræ duo lumina

COLL. &c. collegia Christi et Johannis, quæ magno nobis ornamento
XXII.

esse foreque nemo tam impudens est qui negaverit, statim cogimur te summis patronis nostris connumerare, et locum dare proximum inclitissimæ juxta ac sanctissimæ heroinæ Margaretæ Richmondæ comiti. Tuis (qui senim vera prohibebit dicere) devicta precibus, persuasa sermone, obsecuta consilio, et hortatu animata, cum tanto, sed alibi destinato, nos adfecerit beneficio quanto pares esse poterimus nunquam: quid aliud quam ceu digito demonstravit vel primum te vel a primo proximum esse beneficij hujus authorem cui hæc duo musæa debeamus? Nihil, hercule, minus quam Stagiræ olim cives suam urbem Aristoteli, quam ut condidit Alexander, ut Rex, ædificavit ac persuasit philosophus alioqui non condituro. Jam vero ecquis illud vulgare dixerit beneficium quod tuæ dominationi referimus acceptum istorum nomine quorum alter academïæ a concionibus, alter est a prælectionibus sacris? Uterque sane quam utilis nobis ac populo Christiano; quorum munia, ut plurimum nobis honorifica et necessaria fatemur, ita tuæ dominationis opera factum scimus ut tanto bono potiremur. Quibus tuis, colendissime pater, beneficijs, quæ tu, ne non essent ex omni parte splendida, vestibus prefiosis aureisque exornasti, quippe illis quibus inter sacris operandum solemus uti.

Quoniam nihil habemus quod reponamus non indignè præter animi gratitudinem et quam maximas gratias: tamen tam regaliter apparatis et tam splendidè vestitis beneficijs tuis, ne nudas tantum gratias remittamus, visum est illis, tuo exemplo, circumdare amictum aliquem, vestrem funebrem illam quidem et mundo-pullam, sed tibi præsuli sanctissimo et candidam et mire gratam futuram, et qualem nemo bene Christianus qui cum Paulo sese novit quotidie morti tradi propter Christum Jesum non . . . præferatque omni purpuræ atque auro; hoc est, ut ultra metaphoram loquamur, exequias annuas, annuaque parentalia quæ tuis manibus perpetuò et quotannis celebranda in D. Johannis collegio (ubi multa variaque benignitatis tuæ monumenta

visuntur) illis omnibus et ritibus et ceremonijs quibus præ- COLL. &c.
cipuorum nobis benefactorum exequiæ peraguntur, et XXII.
sanximus et præsentì senatus-consulto statuimus, decerni- XXIII.
musque. Quod munus nostrum, dignissime præsul, sum-
mum videlicet, quem habemus thesaurum si tuæ domina-
tioni gratum esse intellexerimus, et eâ quâ offertur
alacritate acceptum vehementer sane gaudebimus et gra-
tulabimur nobis potuisse nos id tuæ dominationi præstare
quod tuorum erga nos et rempublicam nostram officiorum
magnitudinem quamvis non vincere aut superare tamen
attingere posset. Felicissime valeas, doctissime pater,
magnum hujus nostræ literariæ reipublicæ et caput et
decus, ex nostro senatu pridie [calend. Februar. 1528.]

No. XXIII.

A Roffensi ad Academiam.

DOMINO vicecancellario, universoque senatui regentium et
non-regentium Cantabrigiæ.

Etai negotijs varijs fuerim impeditus quo minus, ut par
erat, dignè, quum pro vestris amantissimis literis cum pro
immenso quo me jam donastis beneficio gratias agerem,
non potui tamen citra summam inhumanitatis notam
omnino silere, nihilque tantis et tam amplissimis erga me
vestris respondere meritis. Optima certe illa et vestri
hujus academix studiosissima virago domina Margareta
Richmondix comes, verè digna cujus nomen semper vestris
inhæreat pectoribus, mihi laudem omnem harum rerum
præripuit quas nunc mihi tribuit vestrum erga me singulare
studium. Ego tantum in his negotijs minister eram id
solum agens et suppeditans ad quod omni tam humano
quam divino jure fueram astrictissimus. Quid enim ipse,
quem illustris illa matrona sibi a confessionibus ascivit,
consulerem aliud quam quod ad illius animæ salutem mihi
potissimum conducere videbatur. Nec erat quicquam in
quo, me iudice, cumulatione suo merito collocasse tantum

COLL. &c. XXIII.
 censum potuit, quam ut multitudo juvenum suis sumptibus educaretur qui postea, quum in viros eruditione virtuteque præstantes adoleverint, Christi evangelium per totius hujus Britanniae fines, haud citra fructum et eundem sane quam uberrimum, essent sparsuri. Nihil igitur in hac re feci præter officium ad quod omni jure tenebar. At licuit hoc ipsum in alio quovis gymnasio fuisse procuratum! Licuit certè, verum ita jure-jurando, quod olim apud vos ipse præstiti, non fecissem satis: nam hoc devinctus eram uti vestro commodo vestroque honori, quoad potuerim, in cunctis prospicerem. Quocirca non est cur agnoscam usque adeo cumulatissimas a vobis mihi deberi gratias, quum ipse nihil nisi quod ex debito incumbabat in his rebus egerim. Habeat igitur illa, illa, inquam, incomparabilis foemina, patronaque vestra quæ verè de vobis merita est, suas laudes et gloriam intigerrimè sibi: mihi certe satis est hæc summa vestra benevolentia qua propensitatem animi mei erga vos tam benignè respicitis. Animus iste revera sicut nec defuit unquam, ita nec in posterum deerit, quibus valebit modis vestris prodesse negotijs.

Beneficium vero quod contulistis tantum est ut regibus conveniat magis quam pauperculo pontifici. Cui enim in hoc mundo potest illustrior a morte contingere gloria quam splendidissimum tot eruditissimorum hominum cœtum astare corpusculo suo, tantam reverentiam eidem exhibere? Horrui profecto contremuique totus dum cineribus meis tantum honoris impertiendum cogitarim. Quid enim aliud ipse quam pulvis et cinis ero? Ceterum absit ut devotas preces tanti et tam eruditissimi cœtus non amplectar, non exosculer, non summis denique votis exoptem. Neque enim cum illis sentio qui purgatorium negant: egent enim vero quam plures animæ, postquam hinc exierint, purificatione multa diuturna. Divus Bernardus misericorditer agi secum putavit si purgatorijs æstibus ad usque judicij diem relinqueretur expiandus. Si tantus vir tantum eliminationis spatium præscripserit sibi, quid ego miserculus non toto pectore affectum vestris orationibus quotannis

apud divinam clementiam commendari quo facilius ab illis ignibus eximar? COLL. &c.
XXIII.
XXIV.

Desunt itaque mihi verba quibus pro maximo isto beneficio jam a vobis impenso et a posteris vestris impendendo gratias agam. Hoc tamen a vobis impetrare cupio quatenus exequiæ quas mihi nunc singulis annis estis polliciti nomini illius optimæ fœminæ communisque patronæ ascribantur, nimirum ut illa sicut in collegio Christi memoriam obtinuit precum vestrarum, ita et in collegio D. Johannis pariter assequatur. Communionem autem precum si cum illâ mihi impartieritis, abundè et supra quam ipse de vobis meruerim estis elargiti. Nam quicquid est gloriæ, quam et sola meruit, soli ipsi deferendum censeo. Precationis tamen vestræ subsidium quam nunc mihi tam ingenuè spondidistis, ambabus, ut aiunt, manibus excipio lubens, gratiasque proinde vobis agens immortales.

Valete ex Roffa 1^o Kal. Martij.

No. XXIV.

An Account of the proceedings against the Nuns, and of the annexing and appropriating of Higham to St. John's College.

After the granting of procuratoriall powers, &c. by John Bp: and Nicholas Archdeacon of Rochester, &c. follows:

IN Dei nomine, Amen. Coram vobis rev: in Christo patre et dno: dno: Johe: permissione divina Roffen: epo: vestrove commissario sive commissariis. Ego Ricus: Sharpe in S: Th: Bac: procurator Ven: viri magistri collegii S: Joh: Evang: In Cant: sociorumq; et scolarium ibid: et nomine procuratorio pro eisdem dico, allego, et in hiis propono, quod in prioratu sive monasterio monialium de Higham Ord: S: Benedicti vestre Roffen: dioc: nuper ex-isten: quod de jure patronatus metuendissimi dni: nostri dni: Henrici Dei gra: Regis Angl: et Fran: fidei defensoris ac dni: Hibern: extitit; fuerunt olim sexdecim moni-

COLL. &c. ales, in divinis officiis Deo famulantes, ex fructibus, redditibus obventionibus, et proventibus ejusdem prioratus sive

XXIV.

monasterii quotidie sustentate. Quodq; de post prefatus numerus in tantum decrevit et diminutus fuit, quod in eodem monasterio sive prioratu, per plures annos continuos ultra tres aut quatuor non existebant moniales, partim ex eo, quod idem prioratus, sive monasterium in angulo quodam seorsum a conspectu populi situat: a lascivis personis, maxime clericis nimium frequentabatur, cujus occasione moniales inibi degentes, de incontinenti vita vehementer erant notate: partim quia tam temporalia quam spiritualia ejusdem loci, premissa occasione, ad ingentem venerunt minoracoem: et decasum. Quodq; postquam vestra rev: paternitas, vestris cura et diligentia permaximis, numerum monialium, in eodem monasterio sive prioratu, ad quinque instauraverat, non solum earundem monialium plures a sacerdote corrupte, ac nonnullæ earum impregnate fuerunt, prout coram vestra rev: paternitate, de eodem legitime erant convictæ: verum etiam divinus cultus, regularis observantia, hospitalitas, eleemosine aliaq; pietatis opera, quæ inibi fieri debuerunt et olim consueverunt, hiis novissimis diebus manifeste decreverunt, ac diminutæ existunt.

Quodq; nobiliss: femina dna: Margareta olim Richmond: et Derb: comitissa, prefati dni: nostri Regis Avia, postquam fundaverat quoddam collegium, quod Christi collegium appellavit in universitate Cant:, prefatum etiam collegium S^{ti} Johis: Evang: construere cepit, in quo et quinquaginta studentes perpetuo sustentare voluit, quæ tamen antequam dictum propositum suum ad effectum producere potuit, viam universe carnis ingressa fuit. Ad quæ omnia et singula prefatus metuendiss: et supremus dns: noster Rex Henricus octavus sue pietatis oculum dirigens, et multiplicia inconvenientia sed precipue divinam displicentiam, ex hujusmodi morum corruptela in dicto monasterio exercitata verisimiliter exorta prudenter considerans, fidemq; Christianam augeri ac propagari summopere desiderans, amoreq; bonarum literarum et maxime

divinarum non nihil impulsus, non solum quo dicte nobiliss: COLL. &c.
XXIV.
femine Aviæ suæ prefatum laudabile et pium propositum
suum tandem consequeretur effectum, verum etiam, ut
dict: prioratus sive monasterium cum suis pertinen: a pre-
misso grandi abusu, ad aliquem laudabilem et sanctum
usum transferri et applicari possit, de gratia speciali et ex
certa scientia et mero motu suis, pro se et heredibus suis,
per certas suas literas patentes, desuper concessas, licen-
tiam dedit et concessit præfat: magro: sociis et Scolaribus,
ac successoribus suis, quod ipsi dict-prioratum sive monas-
terium predict: et cimiterium ibid: una cum rectoria ecclie:
paroch: de Higham ibid: ab antiquo qualitercunq; unit:
annex: in corporat: appropriat: et consolidat: cum omnibus
aliis suis juribus et pertinen: universis, sibi et successoribus
suis uniri annecti incorporari appropriari et consolidari, ac
donationem et concessionem predict: per sedem aplicam:
confirmari petere et procurare possint, et dict: priorat: et
cimiterium, ac eccliam: paroch: de Higham, ac omnia et
singula supradicta, cum suis juribus et pertinen: universis,
et quamlibet inde parcellam, sic eis unit: annex: incorporat:
appropriat: et consolidat: habere tenere et gaudere possint
sibi et successoribus suis predict: in proprios usus, et libe-
ram puram et perpetuam elemosinam: statuto de terris et
Ten: ad manum mortuam non ponend:, aut statut-de pro-
visionibus, seu aliquo alio statuto actu ordinatione provi-
sione vel restrictione in contrarium inde, seu de aliqua inde
parcella fact: edit: sive ordinat: in aliquo non obstante,
prout in ipsius metuendiss: Regis literis paten: inde con-
fectis plenius continetur. Quæ omnia et singula fuerunt
et sunt vera publica manifesta et famosa, ac de et super-
eisdem adinlaborarunt et laborant publica vox et fama.
Unde facta fide quæ de jure requiritur in hac parte, ad
quam faciend: juxta juris exigentiam, offero me nomine
procuratorio, quo supra prompt: et parat: pro loco et tem-
pore congruis et oportunis.

Vicesimo sexto die Januarii —M^r Ricus: Sharpe procu-
rator sepe fat:—quasdam literas patentes Regias originales

COLL. &c. [Recitantur literæ] sereniss: in Christo principis et dni:
XXIV. dni: Henrici octavi, Dei gra: Regis Angl: et Fran: fidei
 defensoris, et dni: Hibern: Sigillo suo magno rotundo in
 cera viridi impress: sigillat: roborat: et munit. Licentiam
 suam Regiam pro hujusmodi unione annexione incorporat:
 et consolidatione predict: collegio S^{ti} Joh: Evang: magroq;
 sociis et scholaribus ejusdem modernis ac ipsorum successo-
 ribus futuris, sic ut premittitur inferius describuntur fien-
 dis, in se continentes, eisdem magro: sociis et scholaribus in
 hac parte, et ad effectum hujusmodi, per Regiam majes-
 tatem antea concessas: nec non librum registral: vestre
 rev: paternitatis correctionem animarum dominarum Eliza-
 beth Penney, et Godline Laurence monialium de Higham
 predict: propter detestabilem incontinentiam et adulte-
 rium, cum dno: Edwardo Sterope sacerdote commiss: et
 per easdem confess:, proles pariendo: nec non tria instru-
 menta de et super resignatione cessione dimissione et
 renunc: dicti monasterii de Higham predict:, cum omnibus
 suis pertinen: per easdem dnas: Elizabet Penney, Godli-
 nam Laurence, et Agnetem Swayne communiales ibid:
 factas, nullis aliis monialibus ibid: existen:, signo et sub-
 scriptione magri: Johis: Bere notarii publici signat: et sub-
 script: in subsidium probationis articuli predicti, et conten-
 torum in eodem realiter produxit et exhibuit. Tenores
 vero instrumentorum resignationum, de quibus supra fit
 mentio sequuntur, et sunt tales.

In Dei nomine, Amen. Per presens publicum instru-
 mentum cunctis appareat evidenter, quod anno dni: millimo:
 quingent: vigesimo primo, indictione decima, pontif: sanc-
 tissimi in Christo patris, et dni: nostri dni: Leonis, divina
 providentia hujus nominis pape decimi anno nono, mensis
 vero Decembris die decimo octavo, in magna camera rev:
 in Christo patris et dni: dni: Johis: permissione divina
 Roffen: epi: in manerio suo de Hallyng Roffen: dioc:
 situat: meiq; Johis: Bere notarii publici, et testium inferius
 nominatorum presentia constituta personaliter coram eodem
 rev: patre religiosa mulier: dna: Agnes Swayne monialis, ut

asseruit, expresse professus in monasterio de Higham dict: COLL. &c.
 dioc: quasdam resignationem, dimiss: et renunciat: dicti XXIV.
 monasterii sui, ac iurium sibi quomodolibet ad idem com-
 petentium in scriptis redact: fecit, legit, et interposuit sub
 eo qui sequitur tenore verborum.

In the name of God, Amen. I dame Agnes Swayne
 non: expressly professid of the monastery of Higham in
 the diocese of Rochester, not compellid by fere or drede,
 nor circumventid by gile or dyssaye, but of my owen free
 will for certen juste and lawfull cawses doo resigne and
 renounce all my ryght, tittle, interest and possession, that
 I have had or nowe have in and to the foresd: monastery
 into the holy handes of the rev: father in God and Lorde,
 my lorde John busshoppe of Rochester my ordinary, be-
 fore John Bere notarye and witnes under-written, and all
 my foreseid right, tittle, interest, and possessyon I utterly
 renounce, giff uppe, and from them departe for ever by
 these presentes. Acta sunt hæc &c. Et ego Johes: Bere
 &c.—presens personaliter interfui—presens publicum in-
 strumentum confeci—et in hanc formam redegi.

[Simili fere formâ sequitur resignatio Eliz: Penney dat:
 Dec: 21: 1521, et Godlif Laurence [nons: professed] dat:
 Jan: 3: 1521.]

Postea decimo sexto die mensis Febr., anno et loco
 predictis—Dns: Thomas Thornton substitutus—magri:
 Ricardi Sharpe procuratoris originalis collegii &c: produxit
 in testes quendam Johan: James, et dnum: Johem: Standa-
 nowght de Strode &c:—quos nos ad ipsius procuratoris
 petitionem recepimus, admisimus, et in forma testium
 jurand: ad sancta Dei evangelia per eos, de mandato nostro
 corporaliter tact: jurari fecimus de dicendo-veritatem.
 Tenores vero (in effectu et substantia) attestationum et
 depositionum singulorum testium inferius conscribuntur, et
 sunt tales.

Johannes James de Strode Roffen: dioc: literatus, libere
 conditionis quinquaginta septem annorum ætatis, vel cir-
 citer serviens sive familiaris priorisse et conventus quon-

COLL &c. dam de Higham, ut dicit, testis productus, admissus, jurat:
XXIV. et examinat: de et super articulo, pro parte dicti magri:

coll: S^u: Joh: Evang: sociorumq; et scolarium ibid: ministro et proposito, et primo de et super notitia prioratus de Higham, dicit, quod circiter duodecim annos elapsos incepit primo iste juratus habere notitiam de prioratu predicto. Examinatus ulterius de et super prima parte articuli ejusdem dicit, quod nescit deponere, nisi ex relatione aliorum. Ulterius examinatus iste juratus de et super secunda parte ejusdem articuli, dicit, quod circiter duodecim annos elaps: quando iste deponens primo accessit ad servitium dict: priorisse et conventus de Higham non vidit ibid: ultra tres aut quatuor moniales in dicto prioratu professas, et post aliquos annos diu postea ibid: in servitio stetit, idem monasterium sive prioratus a lascivis personis, maxime clericis nimium frequentabatur, cujus occasione moniales inibi degentes, de incontinenti vita vehementer erant notate; et quod tam temporalia quam spiritualia ejusdem prioratus, ad ingentem venerunt minorationem et decasum. Interrogatus, quid novit de hujusmodi decasu, dicit, quod in dictis annis preteritis dicta ecclia: conventualis ac edificia et maneria quasi omnia ejusdem prioratus tantam patiebantur ruinam viz. quasi in qualibet sui parte, quod rev: pater epus: modernus mandavit huic jurato et aliis diversis conducere operarios, pro dictis reparationibus faciend:. Et quia non habundavit pecunia in dicto mon: pro dictis reparat: perficiendis: idem rev: pater non solum pecunias proprias, pro dicto opere perficiendo exposuit, verum etiam multas alias pecunias sua industria dictis reparationibus contribui procuravit. Ad tertiam partem, dicit iste juratus in vim dicti juramenti sui, quod rev: pater epus: Roff: modernus cura et diligentia suis permaximis, numerum monialium in eodem monasterio, ad quinque moniales instauraverat. Dicit ulterius quod dna: Eliz: Penney et Godlina Laurence moniales predicti prioratus erant impregnatae, per quendam dnm: Edwardum Sterop sacerdotem quondam vicarium de Higham, et hoc se dicit scire

ex relatione dne: Anchorete Ungothorpe tunc priorisse COLL. &c.
XXIV.
ibid.; quæ retulit huic jurato, quod dicte moniales conceperint et pepererint infra dictum monasterium. Dicit ulterius, quod ad mandatum dicti rev: patris iste juratus descendebat ad dictum monasterium, cum eodem rev: patre quodam die, de quo certitudinaliter nescit deponere, ubi et quando idem rev: pater fecit diligentem examinationem de dicto crimine, et post quam pervenit ad notitiam dicti jurati, quod predicta dna: Elizabeth conceperit, iste juratus intravit claustrum dicti prioratus ubi vidit dnam: Elizabeth Penney sedentem et plorantem. Cui iste juratus dixit; *Alas, madam, howe happened this with you?* cui ipsa respondebat, *And I had ben happy, I myght a caused this thinge to have ben unknowen and hydden.* Qui deposuit de visu auditu, et scientia suis propriis. Ad quartam partem dicti articuli, qui sic incipit, *Quodq; nobilissima femina*, et sic terminatur, *Plenius continetur*, dicit, quod prefatus metuendissimus dns: noster Rex Henricus octavus loci predicti fundator considerans multiplicia inconvenientia ejusdem prioratus, volens dict: grandem abusum dampnare, et dict: monasterium, ad aliquem laudabilem et sanctum usum applicare, de sua gratia speciali, illud priorat: sive monasterium cum pertinen: per literas suas patentes prefat: magro: sociis et scholaribus S^{ti} Johis: Evang: in Cant:, in puram et perpetuam elemosinam dedit et concessit, ut per literas predict: indefact: plenius continetur, ad quas se refert. Super quintam partem dicti articuli, que sic incipit, *Quæ omnia et singula*, et terminatur ibid:, *Publica vox et fama*, dicit, quod continet in se veritatem.

Dns: Johannes Standeanought sacerdos hospitalis de Strowde, libere conditionis, quadraginta annorum etatis, vel circiter, ut dicit, testis in hac parte productus juratus secret: examinatus. Et primo de et super notitia prioratus de Higham, dicit, quod dictum prioratum, per novem annos vel circiter bene novit, quia celebravit in eodem monasterio ex mandato rev^{mt}: patris epi: Roffen: quasi per totum illud tempus. Ulterius examinatus de et super

COLL. &c. contentis in eadem prima parte, dicit quod nescit deponere
 XXIV. nisi ex relatione aliorum. Examinatus preterea super
 secunda parte articuli predict: dicit et concordat cum Johe
 James preconteste suo superius examinato. Et hoc se
 dicit scire, quia multum conversabatur ibid: et vidit ad
 oculum multa eorumque in eadem secunda parte recitan-
 tur et narrantur. Interrogatus insuper iste juratus de et
 super tertia parte ejusdem articuli, dicit, quod Rev: Pater
 Epus: Roffen: modernus, numerum monialium in eodem
 monasterio, ad quinque moniales instauraverat, et dicit
 ulterius, quod audivit a pluribus fide dignis, et etiam
 de nutrice, ubi proles Dne: Eliz: Penney alimentum habuit,
 quod dicta Dna: Eliz: Penney et Godelina Laurence moni-
 ales ibid: conceperint et pepererint, quæ etiam impregnæ
 fuerunt per dnm: Edwardum Steropp Vicarium de Hig-
 ham, et similiter audivit, quod Rev: Pater predict: imposuit
 utriq; earum pro commissis penitentias. Ad quartam par-
 tem dicit et concordat cum dicto Johe: James preconteste
 suo superius examinato. Ad quintam partem dicit, quod
 premissa per eum deposita sunt vera, et super eisdem in
 civitate Roffen: nec non in parochiis de Clif, Mephham,
 Chetham, Strode, et aliis convicinis et circumvicinis labo-
 rarunt et laborant adhuc publica vox et fama.

Elianora Smyth de Clif vidua sexaginta annorum etatis
 vel cerciter ut dicit, testis producta, jurata, et diligenter
 examinata (ubi moram traxit a juventute) et primo de et
 super notitia prioratus de Higham, dicit quod novit a tem-
 pore discretionis sue predict: prioratum. Ad primam et
 secundam partes dicti articuli dicit, quod nescit deponere.
 Ad tertiam partem dicti articuli dicit, quod Dna: Elizabeth
 Penney Monialis de Higham concepit et peperit filium
 masculum in prioratu de Higham, circiter novem vel de-
 cem annos preteritos, et hoc se dicit scire, quia fuit pre-
 sens ibid: et exercuit circa eam officium obstetricis, pre-
 sente cum eadem tunc ibid: Dna: Anchoreta Ungothorpe
 priorissa tunc dicti prioratus. Dicit etiam quod levavit
 dict: prolem a sacro fonte in Ecclia: de Clif. et postea nu-

trivit eandem prolem in domo sua, usq; ad diem obitus COLL. &c.
 ejusdem. Ad quartam partem dicit, quod nescit deponere, XXIV.
 nisi ex relatione aliorum. Ad quintam partem dicit, quod
 premissa per eam deposita sunt vera, et super eisdem in
 parochiis circumvicinis adinlaborarunt et adhuc laborant
 publica vox et fama.

Ricardus Danyell de Clif illiteratus, libere conditionis,
 sexaginta quinq; annorum etatis vel circiter testis pro-
 ductus admissus juratus et secrete examinatus [*viz.* per
 commissionem, quia senio confractus.] et primo de et super
 notitia Prioratus de Higham, dicit quod idem prioratum,
 per quatuor decim annos bene novit et nescit. Ulterius
 super contentis in prima parte dicti articuli dicit, quod
 nescit deponere. Examinatus super secunda parte articuli
 predicti, dicit quod in primeva notitia sua in dicto prioratu,
 non meminit se vidisse ultra tres moniales, postea quinq;
 moniales ibid: vidit et novit. Ad tertiam partem dicti
 articuli dicit, quod dna: Elizabeth Penney monialis de
 Higham peperit prolem, et hoc se dicit scire, ex relatione
 cujusdam Elianore Smyth precontestis sue que retulit huic
 jurato, quod exercuit officium obstetricis in monasterio de
 Higham, et quod eadem dna: Eliz. Penney in prioratu de
 Higham peperit. Dicit ulterius quod ipsemet levavit dict:
 prolem a sacro fonte in ecclia: paroch: de Clif. Ad quartam
 partem dicit, quod nescit deponere nisi ex relatione
 aliorum. Ad quintam partem dicit, quod premissa per
 eum deposita sunt vera, et super eisdem, in Parochiis de
 Clif, Higham, Gravisende et pluribus aliis locis convicinis
 circumvicinis laboravit publica vox et fama.

In Dei nomine amen. Coram vobis rev: in Christo patre
 et dno: dno: Johe: permiss: divina Roffen: epo: &c. nos
 Robertus Johnson in legibus bac: ac commissarius ante-
 dict:, Christi nomine primitus invocato, ac ipsum solum
 deum oculis nostris preponentes, de consilio jurisperito-
 rum, cum quibus communicavimus in hac parte, causas
 hujusmodi appropriationis fiend: pias, justas, veras, legi-
 timas, ac rationabiles, juriq; consonan:, ac legitime probat:

COLL. &c. fuisse et esse, auctoritate qua fungimur in hac parte, pronunciamus, decernimus, et declaramus, ac eas pro talibus
 XXIV.

nunciamus, decernimus, et declaramus, ac eas pro talibus et ut tales approbamus, predictumq; prioratum et eccliam de Higham, una cum ecclia eidem ab antiquo qualitercunq; unit: annex: incorporat: appropriat: et consolidat: ac ab eodem dependen: ceterisq; suis juribus et pertinentiis universis quibuscunq;, antedicto collegio sti Johis: Evang: in Cant., magroq; : sociis et scholaribus ejusdem, suisq; successoribus, perpetuis temporibus futuris uniend: annexend. incorporand: appropriand: et consolidand: fore, et cum effectu uniri annecti incorporari appropriari et consolidari, auctoritate nobis commissa, et qua in hac parte fungimur decernimus et declaramus, ipsumq; prioratum et eccliam: de Higham cum ceteris premissis, collegio predicto, ac magro: sociisq; scholaribus memoratis, et eorum successoribus in perpetuum, in eorum proprios usus possidend: unimus, annectimus incorporamus appropriamus et consolidamus per hanc nostram sententiam, sive finale decretum, quam sive quod ferimus et promulgamus in hiis scriptis. Decernentes desuper et decernimus quod liceat eisdem magro: sociis et scholaribus dictum prioratum et eccliam: de Higham auctoritate nostra premissa vacan: ingredi, ac ejus et suorum predict: jurium et pertinentiis universorum realem actualem et corporalem possessionem apprehendere nancisci et adipisci: ipsamq; possessionem sic nactam apprehensam et adeptam libere et licite, sibi et successoribus suis pro perpetuo retinere et continuat: atq; eis pacifice et quiete possidend: gaudere.

Et ut prefat: rev: patris, et dni: dni Johis: Roffen: epi: nec non Archi: Roffen: predict., omniumq; suorum successorum indempnitatibus in hac parte securius provideamus Statuimus, ordinamus, et providemus, quod prefat: Mr. socii et scholares coll: s^{ti} Joh: in Cant: et sui successores futur: predict: rev: in Christo Patri Roffen: epo: et successoribus suis tresdecim solid: et quatuor denar: pro pensione annua, atq; predict: archi: suisq; successoribus futur: septem solid: et sex denar: singulis annis, perpetuis

futuris temporibus, durant et stant appropriatione hujus-
 modi, ad festum s^{ti} Michis: Archi: fideliter et effectualiter COLL. &c.
XXIV.
 persolveri, vel facient persolvi indilate pro suis procura-
 tionibus. Item decernimus et ordinamus, quod m^r: socii
 et scolares, et eorum successores in perpetuum solvent
 rev: in Christo Patri Roffen: epo: et ejus success:, sede
 plena, qua vacan:, rev^{mo}: in Christo Patri Archiepo: Cant:
 et suis success: procuracionem quatuor solid: de et pro
 procuracionibus de Higham predict: ab antiquo debet et
 solvi consuet: ratione visitationis sue ordinarie—quoties-
 cunq; et quandocunq; contigerit—dictam eccliam: de Higham
 visitare. Decernimus insuper et ordinamus, quod p^refat:
 magr: socii et scolares, ipsorumq; success: futur: habebunt,
 et ipsorum propriis sumptibus et expensis in perpetuum,
 stante et durante appropriatione hujusmodi, fideliter exhi-
 bebunt et sustentabunt unum capellanum ydoneum secu-
 larem, in ordine sacerdotali constitutum, qui quotidie et
 continue humano more infra Prioratum de Higham pre-
 dict: celebrabit, qui pro animabus fundatorum p^rmogeni-
 torum ac benefactorum suorum defunctorum, ac pro felici
 et prospero statu illustris: principis et dni: nostri dni: Henrici
 Regis Angl: octavi moderni, pro bonoq; et prospero statu
 totius regni sui Angl: preces fundet et faciet ad altissimum
 devotas. Ad hec decernimus et ordinamus, quod in festi
 sti Michis: Archi: natalis dni:, annunc: dominice, et nati-
 vⁱtatis sti Johis: Bapt: singulis annis perpetuis futuris
 temporibus in prioratu de Higham, pro animabus predict:
 exequie mortuorum, et in crastino dict: dierum, singulis
 annis et festis, misse de requiem devote dicentur et cele-
 brabuntur.

In quorum omnium et singulorum premiss: fidem et test:
 presentes literas nostras desuper testimoniales, sive pre-
 sens publicum instrumentum nostrum hujusmodi processum
 in se continentes sive continens exinde fieri mandavimus
 et fecimus; nec non per prenomiatum magrum: Johem:
 Bere notarium publicum registrarium Roffen: atq; nostrum
 et hujusmodi processus actorumq; in eo et circa illum

COLL. &c. scribam subscribi et signari, sigilliq; quo in hac parte usi
XXIV. fuimus appensione fecimus et mandavimus communiri.

Que omnia et singula, eidem paternitati vestre rev: ad omnem juris effectum, qui exinde sequi poterit vel debebit, tenore presentium significamus. Dat: et acta sunt hec omnia et singula in effectu et substantia prout supra scribuntur et recitantur sub anno domini mensibus, diebus et locis predictis. Presentibus tunc viz: tempore lecture sententie sive decreti finalis hujusmodi discretis viris dno: Johe: Drake, &c: testibus, &c:

Nos igitur Johannes permiss: divina Roffen: epus: visis per nos et diligenter investigatis actis et processu negotii unionis annexionis, appropriationis, et consolidationis suprascript: quia appropriationem hujusmodi, et cetera premissa, ad Dei laudem et divini cultus augmentum processisse, et fact: fuisse comperimus et invenimus, ideo hujusmodi unionis, annexionis, incorporationis, appropriat: et consolidat: processum, ac singula in eo contenta, quatenus rite, recte, et canonice processerunt, auctoritate nostra pontificali auctorisamus, ratificamus et confirmamus, omnes et singulos defectus, quantum ad nos attinet, et de jure poterimus, gratiose supplentes et supplemus. In cujus rei test: sigillum nostrum presentibus apposuimus. Dat: vicesimo octavo die mensis Martii, Anno Dni: millimo: quingent: vicesimo quarto et nostre consecrat: anno vicesimo.

Et nos Willmus Prior et capitulum ecclie cath: Roffen: supradict: appropriationem et cetera premissa, ad Dei laudem et divini cultus, uti credimus, augmentum fact: actitat: et determinat: quantum in nobis est, ratificamus, approbamus et confirmamus: Salvis nobis semper, et ecclie nostre Roffen: decimis partialibus de Ocle, intra parochiam de Hygham predict, nostre ecclie, a longissimis temporibus debitis, et notorie et pacifice recipi et haberi consuetis. In cujus rei test: sigillum nostrum commune presentibus apponi fecimus. Dat: in domo nostra capitulari 20^{mo} die Martii anno dni. millimo quingentesimo, vicesimo quarto.

Et nos Nichus Metecalf in Sacra Theologia Professor, ^{COLL. &c.}
 Archidiaconus Roffen: supradictam appropriationem, et ^{XXIV.}
 cetera omnia premissa, ad Dei laudem, et divini cultus ^{XXV.}
 augmentum, factam, quantum in nobis est, ratificamus,
 approbamus, et presentium tenore confirmamus. In cujus
 rei testimonium, sigillum nostri officii presentibus appo-
 suimus. Dat: Roffe, primo die mensis Maii, Anno Dni:
 Millesimo, quingentesimo, vicesimo quinto.

Ex instrumento originali, cum tribus sigillis pendentibus, viz: Episcopi, Prioris ac Cap: et Archidiaconi Roffen: qui hunc Actum, consensu et auctoritate suis approbarunt et confirmarunt.

Habetur autem actus original: repositus inter Archiva Coll: D: Joh: Cant: in Pyxide sive arculâ de Higham infra turrin.

No. XXV.

Universis Christi fidelibus ad quos presentes litere, sive hoc presens publicum transcripti instrumentum pervenerint sive pervenerit et quos infrascripta tangunt seu tangere poterunt quomodolibet in futurum. Galfridus Wharton Decretorum Doctor Officialis principalis cons: Epalis: London, Salutem in Domino et fidem indubiam presentibus adhibere. Ad universitatis vestre notitiam deducimus et deduci volumus per presentes, quod anno dni: secundum cursum et computationem ecclesie Anglicane Millesimo quingentissimo vicesimo sexto, indictione decima quinta, pont: santiss: in Christo patris et dni: dni: nostri Clementis divina providentia, hujus nominis pape septimi anno quarto, mensis vero Febr; die optimo coram nobis infra ecclesiam cath: S^{ti} Pauli London: judicialiter pro tribunali seden. in notarii publici subscripti et testium inferius nominat: presentia constitutus personaliter egregius vir Magister Nicholaus Metcalfe S. Th. Prof: ac magister, ut asseruit Collegii S^{ti} Johannis Baptiste Universitatis Canteb: Elien: Dioc: quasdam literas prefati sanctiss: dni nostri pape, ipsius sigillo plumbeo cum filis cericis penden: more

COLL. &c. XXV. Romane curie bullatas realiter produxit presentavit et exhibuit, ac nos ex parte sua ac sociorum et scholarium dicti

Collegii S^{ci} Johannis instanter requisivit; ut cum sibi ac sociis et scholaribus antedictis opportunus et conducibile foret, dictas literas aplicas: quas non habuerunt, ut asseruit, duplicatas, in diversis hujus Regni Anglie partibus non modicum inter se distan: uno eodemq; tempore, nedum diversis et interpolatis temperibus ostendi et exhiberi ad effectum, quod omnia et singula in eisdem contenta cunctis innotescerent, possentq; hujusmodi litere aplice: originales, si ad effectum memoratum, ad diversas partes, presertim inter se, ut prefertur, multum distan: deferrentur et transportarentur, ob viarum discrimina et casus adversos, qui frequenter accidunt, verisimiliter deperite: Quatenus ipsas literas aplicas originales diligenter inspicere contrectare et examinare curaremus; et si illas per nos inspectas et debite examinatas reperiremus non viciatas non raras non abolitas non cancellatas, nec in aliqua ipsarum parte suspectas easdem literas aplicas: per notarium publicum transumi exemplari et subscribi, atq; in publicam formam redigi precipere et mandare: nec non ut hujusmodi transumptis, sicut dictis literis aplicis originalibus in posterum in judiciis et extra plena fides adhibeatur, decretum nostrum et auctoritatem interponere dignaremur. Quarum quidem literarum aplicarum verus tenor sequitur, et est talis.

Clemens epus: servus servorum Dei ad perpetuam rei memoriam. Quia per litterarum studia, equum ab iniquo discernitur, viri erudiuntur, ac scientia et doctrina, ad universalis ecclie: decorem, et plurium utilitatem imbuti, quasi lucerne ardentes in domo dni prefulgent, dignum est nos illis precibus gratum prebere assensum, ex quibus studiorum hujusmodi manutentioni, ac personarum illis insistentium commoditati, et oportune subventioni valeat salubriter provideri. Sane pro parte dilectorum filiorum moderni magistri ac sociorum et scholarum Collegii S^{ci} Johannis Baptistae nuncupati universitatis studii opidi Cantelbrigie

Elie: Dioc: nobis nuper exhibita petitio continebat, quod COLL. &c. XXV.
 cum alias de Bromehall et Higham ordinis Sⁱ Benedicti
 Sarisberien: et Roffen: dioc: monasteriorum monialium,
 quibus de Higham, nec non de Sonynghill et Allworth ac
 Rokland Roffens: et Sarisbirien: predict: ac Norwicen:
 dioc: parochiales ecclesie perpetuo unite annexe et incor-
 porate existunt, tunc priorisse et moniales ex certis justis
 et legitimis causis, coram ordinariis locorum evocate, suis
 culpis et demeritis exigentibus, dictis monasteriis, illo-
 rumq; regiminibus et administrationibus, ordinaria aucto-
 ritate private et ab illis amote fuerint, ipsaq; monasteria
 quasi ad prophanos usus redacta sint, et nulla inibi monia-
 lis habitet. Ac carissimus in Christo filius noster Henricus
 Anglie Rex invictissimus et fidei defensor bona mobilia et
 immobilia ac jura quecunq; de Higham et de Bromehall
 monasteriorum et ecclesiarum predict: prefato collegio,
 pro decenti sustentatione magistri et sociorum ac scola-
 rium in illo pro tempore existentium, sub beneplacito nos-
 tro et sedis Aplice: perpetuo donaverit applicuerit et
 appropriaverit, prout in literis regiis desuper confectis
 dicitur plenius contineri: si suppressis in dictis monaste-
 riis nomine monasteriorum et dignitate priorissali ordine et
 conventualitate, donatio applicatio et appropriatio predictæ
 approbarentur et confirmarentur, ac monasteriorum et
 eccles: hujusmodi bona et jura predicta, eidem collegio de
 novo perpetuo applicarentur et appropriarentur, ex hoc
 profecto pro tempore existentium magistri et sociorum ac
 scholarium collegii hujusmodi commoditati et subventioni
 non parum consuleretur. Quare pro parte moderni magis-
 tri et sociorum ac scholarium predict: asserentium bonorum
 et jurium monasteriorum et ecclesiarum predict: fructus
 redditus et proventus viginti quatuor ducatorum auri de
 camera secundum communem *estimationem*, valorem an-
 nuum non excedere: nobis fuit humiliter supplicatum, ut
 donationi applicationi et appropriationi hujusmodi, pro
 illorum subsistentia firmiori, robur Aplice: confirmationis
 adjicere, ac in ipsis, monasterii nomina, monasteriorum prio-

COLL. &c.
XXV.

rissales dignitates, ordinem, et conventualitatem penitus suppressimere et extinguere, nec non illorum ac ecclesiarum predict: bona et jura donata hujusmodi, prefato collegio de novo perpetuo applicare et appropriare, aliasq; in premissis oportune providere, de benignitate Aplica: dignaremur. Nos igitur qui personis literarum studio insistentibus oportune commoditatis auxilia libenter impendimus, modernum magistrum et socios ac scholares prefatos, et eorum singulos, a quibusvis excommunicationis suspensionis et interdicti, aliisq; ecclesiasticis sententiis censuris et penis jure vel ab homine, quavis occasione vel causa latis, si quibus quomodolibet innodati existunt, ad effectum presentium duntaxat consequendum, harum serie absolventes, et absolutos fore consentes, hujusmodi supplicationibus inclinati, donationem applicationem et appropriationem predictas, auctoritate Aplica: tenore presentium approbamus et confirmamus, ac illas perpetue firmitatis robur obtinere decernimus. nec non in de Higham et de Bromehall monasteriis predictis, nomina monasteriorum ac dignitates priorissales, nec non ordinem et conventualitatem, auctoritate et tenore predictis perpetuo suppressimus et extinguimus, ipsorum monasteriorum sic suppressorum et ecclesiarum bona mobilia et immobilia ac jura, eorumq; fructus redditus et proventus quecunq; dicto collegio pro sustentatione magistri ac sociorum et scholarium predict: per dictum regem, ut prefertur, donata eidem collegio, auctoritate et tenore supradictis de novo etiam perpetuo applicamus et appropriamus. Ita quod liceat cisdem et pro tempore existentibus magistro ac sociis et scholaribus prefatis, per se vel alium seu alios corporalem possessionem bonorum et jurium predict. propria auctoritate libere apprehendere et perpetuo retinere, illorumq; fructus redditus et proventus, in suos usus et utilitatem convertere, Diocesani loci et cujuslibet alterius licentia super hoc minime requisita. Quocirca venerabilibus fratribus nostris Norwicen: et Roffen: Epis: ac dilecto filio Archidiacono ecclie Elien: per Aplica scripta mandamus, quatenus ipsi vel duo aut unus eorum

per se vel alium seu alios, presentes literas, et in eis con-
tenta quecunq; ubi et quando opus fuerit, ac quotiens pro COLL. &c.
XXV.
parte magistri ac sociorum et scholarum predict: seu alicujus eorum desuper fuerint requisiti, solemniter publicantes, eisq; in premissis, efficacis defensionis presidio assistentes faciant, auctoritate nostra donationem, suppressionem, extinctionem applicationem et appropriationem hujusmodi firmiter observari, ipsosq; magistrum et socios ac scholares illis pacifice gaudere, non permittentes eos desuper per quoscunq; quomodolibet indebite molestari, contradictores quoslibet et rebelles per censuras et penas ecclesiasticas, ac etiam pecuniarias, eorum arbitrio moderandas, appellatione post posita, compescendo; invocato etiam ad hoc si opus fuerit, auxilio brachii secularis: non obstantibus quibusvis Aplicis, ac bone memorie Octonis et Octoboni olim in regno Anglie Aplice: sedis legatorum, nec non in provincialibus et sinodalibus consiliis editis generalibus vel specialibus constitutionibus et ordinationibus ac monasteriorum et ordinis predictorum juramento, confirmatione Aplica: vel quavis firmitate alia roboratis statutis et consuetudinibus, privilegiis quoq; indultis et literis Aplicis: eisdem monasteriis et ordini, sub quibuscunq; tenoribus et formis, ac cum quibusvis clausulis et decretis concessis approbatis et innovatis, quibus omnibus illorum tenores, ac si de verbo ad verbum insererentur presentibus pro sufficienter expressis habentes, illis alias in suo robore permansuris, hac vice duntaxat specialiter et expresse derogamus contrariis quibuscunq;. Aut si aliquibus communiter vel divisius ab Aplica: sit sede indultum, quod interdici suspendi vel excommunicari non possint per literas Aplicas: non facientes plenam et expressam, ac de verbo ad verbum de indulto hujusmodi mentionem. Nulli ergo omnino hominum liceat hanc paginam nostre absolutionis approbationis confirmationis decreti suppressionis extinctionis applicationis appropriationis mandati et derogationis infringere, vel ei ausu temerario contraire. Si quis autem hoc attemptare presumpserit, indignationem omnipotentis Dei, ac

COLL, &c. beatorum Petri et Pauli Apolorum: ejus se noverit incur-
surum. XXV. Dat: Rome apud Sanctum Petrum, anno incarnationis dominice millesimo quingentesimo vicesimo quarto kalend: Octobris, pontificatus nostri anno primo.

Nos igitur Galfridus officialis antedictus, petitionem predict: justam et rationi consonam fuisse et esse censentes, et idcirco pro et ex parte prefat: magistri ac sociorum et scolarium coram nobis, ut premittitur deduct: et product: annuentes, quia hujusmodi litteras Aplicas: nobis exhibitas, et coram nobis de mandato nostro, per discretum virum magrum Henricum Bowsfell notarium publicum in scribam nostrum in hac parte assumptum, publice lectas, in ipsius notarii publici et testium subscriptorum presentia inspeximus palpavimus et examinavimus diligenter, ipsasq; non raras non abolitas non cancellatas, nec in ipsarum aliqua parte suspectas, sed omni prorsus vicio et sinistra suspicionem carentes invenimus, ne ob carentiam ipsarum litterarum Aplicarum originalium per aliquem casum adversum, probationis copia vel facultas deperiret: Idcirco ad omnem juris effectum, qui exinde sequi poterit, pro tribunali, ut prefertur, seden: nostris auctoritate et decreto q; easdem publicavimus, et ipsas per prefatum notarium, publicum scribam nobis, ut prefertur, in hac parte assumptum transsumi, exemplari, et in hanc publicam formam redigi, ejusq; signo et nomine signari et subscribi mandavimus et fecimus. Quibus quid: transumptis in publicam ut prefertur formam redactis, sicut ipsis litteris Aplicis originalibus plenam et indubiam fidem exhibendam fore tam in judiciis quam extra decrevimus, sicut per presentes decernimus ubiq; in agendis. In quorum omnium et singulorum fidem et testimonium, nos Galfridus officialis antedictus has presentes litteras nostras testimoniales, sive hoc presens publicum transcripti instrumentum dictarum litterarum Aplicarum: originalium verum tenorem in se continentes sive continens exinde fieri, et per prefatum magrum Henricum Bowsfell notarium publicum subscribi et signari mandavimus, nostriq; sigilli jussimus et fecimus appensione com-

muniri. Dat: et acta sunt hec et singula prout supra scri-
buntur et inseruntur sub ano dni, jndictione, Pont:, mense, COLL. &c.
die, et loco in priori parte hujus jnstrumenti publici specifi- XXV.
catis; presentibus tunc ibidem discretis viris Mro: Johanne
Darrell in Decretis Baccalario, et Johanne Newman litte-
rato Lincoln: et London Dioc: testibus ad premissa vocatis
et specialiter requisitis.

Et Ego Henricus Bowsfell Carlion: dioc: sacra auctori-
tate Aplica: notarius publ: nec non per pefat: venerab:
virum magrum Galfridum Wharton officialem antedict: in
presenti negotio in scribam assumpt: Quia supra memorat:
litterarum Applicarum original. productioni, presentat, et
exhibitioni, ac petitioni et decreto predictis, ceterisq; pre-
missis omnibus et singulis, dum sic, ut premittitur per
prefat: magrum: Galfridum officialem antedict: et coram eo,
sub anno dni, jndict: Pont: mense, die, et loco superius in
priori parte hujus publici jnstrumenti designatis agebantur
et fiebant, una cum testibus supranominatis presens per-
sonaliter interfui, eaq; omnia et singula prout superius
inseruntur sic fieri vidi et audivi, ac dict: literas Apli-
cas originales inspexi et perlegi, factaq; fideli collatione
inter easdem, et earum transumptum superius scrip-
tum, quia illa in omnibus concordare reperi, nil addito
detracto vel mutato quod facti substantiam mutaret vel
vacaret intellectum: Id circo hoc presens transumptum,
manu aliena, me aliunde occupato fideliter scriptum exinde
confeci publicari et in hanc publicam formam redegei, sig-
noq; et nomine meis solitis et consuetis me hic subscripsi,
una cum appensione sigilli prefati venerab: viri magri Gal-
fridi officialis hujusmodi signavi rogatus et requisitus in
fidem et testimonium premissorum.

Ex originali cum sigillo pendente, et signo notarii pub:
affixo. Inter Archiva Collegii Sⁱ Joh: Evang: Cant.

COLL. &c.
XXVI.

No. XXVI.

E Registro
Johannis
Fisher

Epi Roffen.
Fol. 127,
128.

Mandatum Dni Cardinalis ad publicand' Bull' Apostolic.'

THOMAS miseracione divina tituli Sancte Cecilie sacrosancte Romane ecclie presbiter cardinalis Eboracen', Aplice sedis eciam de latere legatus, anglie primas et cancellarius, venerabili confratri nro Johanni Roffen' epo salutem, et fraternam in dno charitatem. Breve sanctissimi domini nostri dni Clementis divina providentia hujus nois Pape Septimi nuper recepimus sub isto qui sequitur tenore verborum: Dilecte fili noster, salutem, et Aplicam benedictionem, ad reprimend' eorum audaciam, qui sub spe venie ac dispensacionis Aplice, antequam ab Aplicâ sede et romano Pontifice licenciam et dispensacionem petant et obtineant, matrimonium in gradibus prohibitis contrahere et consummare presumunt, edidimus nuper literas sub plumbo, per quas universis et singulis nos de cetero cum talibus non dispensaturos, sed absolutione tantum concessa, eos superari jussuros intimavimus, quod volentes ad noticiam tam ipsius regni, quam insule Hibernie deduci, mandamus, circumspect^{al} tue, ut literas ipsas, quas ad facilitatem publicacionis impressas, sigilloq; prelati et ejus notarij subscriptione munitas eidem circumspectioni tue transmittimus per singulos venerabiles fratres archiepos. et epos. Regni Anglie et insule Hibernie, prædictor' distribui cures, ut mandata nostra, prout par est, exequi valeant, quod eos facturos non dubitamus, dat' Rome apud Sanctum Petrum sub annulo piscatoris die septimo Septembris millimo quingen' vicesimo quarto, pontificatus nostri primo (cum hijs verbis in superiori margine Clemens Ppa VII^{us}) cum hijs sequentibus verbis in dorso,) Dilecto filio nostro Thome tituli Sancte Cecilie presbitero Cardinali eboracen', in regno Anglie nostro, et Aplice sedis de latere legato) Nos igitur mandato prefati sanctissimi dni nri in omnibus, prout tenemur, parere volentes, vre fraternitati hujusmodi literas

impressas, quas ab ipso sanctissimo domino nostro nuper ^{COLL. &c.} recepinus una cum presentibus transmittimus in et per ^{XXVI.} vestram diocesin tam in locis exemptis, quam non exemptis juxta modum et formam in eis literis content' publicandas) Dat' nostro sub sigillo in edibus nostris prope Westmon' secundo die mensis Novembris, Anno Dni millimo quingen^{mo} vicessimo quarto.

Bulla Apostolica contra contrahentes Matrimonium in gradibus prohibitis.

CLEMENS Episcopus, servus servorum Dei, Venerabilibus Fratribus, Patriarchis, Archeepiscopis, Episcopis, et aliis locorum ordinarijs salutem, et Applicam benedictionem. Quia plerumq; in futurorum eventibus imbecilitas humani judicii adeo fallitur, ut quod utile, non solum conjectura, sed etiam attenta et provida consideracio pollicebatur, id prorsus inutile ac animarum saluti maxime damnosum reperiatur, propterea nonnunquam expedit, ut gracie, que olim consulto et rationabili de causa concedi videbantur, multo consulcius in posterum denegentur, id quod necessitas presentis provisionis evidenter offendet. Sane postquam felicitis recordacionis Clemens Papa V. predecessor noster in concilio Viennensi eos, qui divino timore positos, in gradibus consanguinitatis et affinitatis contra canonicas sanctiones matrimonia scienter ni suarum periculum animarum contrahere presumpsissent, excommunicationis sententiæ ipso facto decreverat subjacere, precipiendo ecclesiarum prelati, ut tales tamdiu excommunicatos publice nunciarent, seu nunciari facerent, donec separarentur ab invicem, et beneficium absolucionis obtinerent Sedes Aplica, et Romani pontifices, predecessores nostri, considerantes gravia oriri posse scandala, si matrimonia hujusmodi scienter contracta, et carnali copula consummata per divorcium dirimerentur ad obviand' hujusmodi scandalis, et ne mulieres perpetuo diffamate remanerent, inducebantur ad dispensand' cum illis qui in gradibus

COLL. &c. XXVI. hujusmodi prohibitis matrimonia ipsa scienter contraxissent. Propter quod multi volentes in gradibus prohibitis matrimonia contrahere, ac sperantes veniam et absolucionem, ac dispensacionem a sede predicta obtinere posse, illa passim contrahere, et carnali copula sub tali spe consummare presumpserunt. Que abusio et corruptela, cum jam diu propter inveteratam hominum maliciam, et nimiam dicte sedis in absolvendo, ac dispensando facilitatem adeo creverit, ut cupientes in gradibus prohibitis hujusmodi contrahere, nullo pacto id facere vereantur, et unde scandalis remedia petebantur, inde scandalorum materia et occasio nata videatur. Nos quorum interest agrum Dni ita colere, ut virtutes in eo crescant, abusiones vero quęcunq; tollantur, ac malis moribus via et aditus omnis precludatur, hujusmodi fraudibus et dolis, per quos multi dispensaciones in prejudicium animarum suarum, a nobis extorquere, ac Clemencia ac misericordia apostolica sub spe venie, que ut experientia rerum magistra docet, peccandi viam pandit, abuti, non cessant, obviare volentes, habita super hijs cum fratribus nostris matura deliberacione, de ipsorum fratrum consilio, omnibus denunciandum, seu intimidandum duximus, quod in posterum, cum illis qui in gradibus prohibitis matrimonia scienter contraxerint etiamsi illa consummaverint, non intendimus dispensare, sed illa, scandalis, que oriri posse formidaretur minime attentis, omnino separari mandabimus, absolucionem duntaxat petentibus misericorditer concessuri, cum gracia dignus non sit, qui canonum conditorem contemnit, illoq; cum anime sue detrimento injuriam facit. Et ut intencio nostra facilius ad effectum perducatur, ac omnibus innotescat, Vobis et vestrum cuilibet in virtute sancte obedientie mandamus, quatenus presentes litteras, seu earum transcripta, quibus manu publici notarij subscriptis, et alicujus prelati, seu in eccliaistica dignitate constituti sigillo munitis, eandem prorsus fidem ac ipsis originalibus litteris præstari volumus in singulis ecclesiis civitatum, et dioces' vestrar' eciam vulgari sermone publicari, et ipsarum ecclesiar'

valvis affigi faciatis, ne aliquis ullo unquam tempore hujus nostre incommutabilis intentionis et voluntatis ignoranciam pretendere, seu allegare possit. Nulli ergo omnino hominum liceat hanc paginam nostre intentionis, mandati et voluntatis infringere, vel ei ausu temerario contraire. Si quis autem hoc attentare presumpserit, indignacione omnipotentis Dei, ac beatorum Petri et Pauli Apolorum ejus se noverit incursurum. Datum Rome apud Sanctum Petrum Anno Incarnacionis Dominice, millimo quingent' vigesimo quarto, sexto decimo calend' Septemb. Pontif. Nostri Anno primo.

COLL. &c
XXVI.
XXVII.

No. XXVII.

*Testificatio VIII. Episcoporum Angliæ Super Causa
Divortij.*

Rymeri
Fœdera,
Tom XIV.
fol. 01,
A. L. 1529.
20,
Hen. VIII.
Ex autogr.

UNIVERSIS et singulis, ad quorum notitiam presentes literæ pervenerint, nos Willielmus, permissione divina, Cantuariensis Archiepiscopus, totius Angliæ primas et Apostolicæ sedis Legatus, et nos Cuthbertus Londoniensis, Johannes Roffensis, Johannes Carliolensis, Nicolaus Eliensis, Johannes Exoniensis, Henricus Assaphensis, Johannes Lincolniensis, et Johannes Bathoniensis et Wellensis, eadem miseratione respective episcopi, Salutem in Domino.

Cum invictissimus et potentissimus princeps et dominus noster Henricus Octavus Dei Gratia, Angliæ et Franciæ Rex, fidei defensor et Dominus Hiberniæ de matrimonio cum clarissima Domina Catherina contracto, plurimosque jam annos constante, ex variis multisque causis concepto in conscientia scrupulo, Nos pariter et reverendissimum in Christo patrem et dominum, Dominum Thomam, miseratione divina, tituli Sanctæ Ceciliæ sacrosanctæ Romanæ ecclesiæ presbyterum Cardinalem Eboraci archiepiscopum, apostolicæ sedis non solum natum sed etiam de latere legatum, Angliæ primatum et cancellarium, ac nonnullos alios regni prælatos ac doctos viros juris t. tum

COLL. &c. wisdom, to moue the King's Highnesse to take me vnto
 XXVIII. his gracious fauor againe, and to restor me vnto my
 XXIX. liberty, out of this cold and painfull imprisonment; whereby
 ye shall bynd me to be yowr pore beadsman for euer unto
 almighty God, who euer haue you in his protection and
 custody.

Other twayne things I must also desyer vpon yow, first
 oon is, that itt may please yow that I may take som preest
 within y^e tower, by th' assignment of master Leuetenant,
 to hear my confession against this hooly tym.

That other is, that I borrow some bookes to stir my
 deuocion mor effectually theis hooly dayes, for the com-
 fortte of my sowl. This I byseche you to grant me of
 yowr charitie. And thus our Lord send yow a mery
 Christenmas and a comfortable to yowr hearts desyer.
 At the Tower this xxii day of December.

Your poore Beadsman,
 John Roffe.

No. XXIX.

*Bp. Fisher's Letter to the House of Lords, about the Bill
 brought into that House for attainting him and others
 for their being abettors of the Nun of Canterbury, com-
 monly called the Holy Maid of Kent.*

My Lords!

Collier's
 Eccles.
 Hist.
 Vol. II.

AFTER my most humble commendations unto all your
 good Lordship's, that sit in this most High Court of Par-
 liament; I beseech in like manner to hear and to tender
 this my suit which by necessity I am now driven to make
 unto all your Lordships in writing, because I may not by
 reason of disease and weakness at this time be present
 myself before you; without peril of destruction of my
 body, as heretofore I have written to Mr. Cromwell; which
 me, gave* no comfort to obtain of y^e King's Grace respite for
 my absense till I be recovered. If I might have been
 present myself, I doubt not y^e great weaknes of my body,

with other manifold infirmities, wou'd have moved you COLL. &c.
 much rather to have pity of my cause and matter, whereby XXIX.
 I am put under this grievous trouble.

So it is my good Lords, that I am inform'd of a certain Bill that is put into this High Court against me and others concerning the matter of y^e Nun of Canterbury; which thing is to me no little heaviness, and most specially in this piteous condition y^e I am in.

Nevertheless, I trust in your Honours wisdoms and consciences, that you will not in this High Court, suffer any act of condemnation to pass against me; till my cause may be well and duly heard. And therefore in my most humble wise, I beseech all you my Lords in y^e way of charity, and for y^e love of Christ, and for y^e mean season, it may please you to consider, that I sought not for this woman's coming unto me; nor thought in her any manner of deceit. She was y^e person that by many probable and likely conjectures, I then reputed to be right honest, religious, and very good and virtuous. I verily suppos'd that such feighning and craft, compassing of any guile or fraud had been far from her. And what default was this in me so to think, when I had so many probable testimonies of her virtue?

First. The bruit of the country which generally call'd her y^e *Holy Maid*.

Secondly. Her entrance into religion upon certain visions which was commonly said that she had.

Thirdly. For y^e good religion and learning that was thought to be in her ghostly father and in other virtuous and well learned priests that then testified of her holiness, as it was commonly reported.

Finally. My Lord of Canterbury, that then was both her ordinary and a man reputed of high wisdom and learning, told me that she had many great visions. And of him I learn'd greater things than ever I heard of y^e nun herself. Your wisdoms, I doubt not, here see plainly that

COLL. &c. in me there was no default to believe this woman to be
XXIX. honest, religious, and of good credence.

For sith then I am bounden by y^e law of God to believe y^e best of every person, untill the contrary be proved; much rather I ought so to believe of this woman, that had then so many probable testimonies of her goodness and virtue. But here it will be said, that she told me such word as was to y^e perill, of y^e prince and of y^e realm. Surely I am right sorry to make any rehearsal of her words, but only that necessity so compells me now to do.

The words that she told me concerning y^e peril of the King's Highness were these: she said that she had her revelation from God, that *if ye King went forth with y^e purpose that he intended, he shou'd not be King of England seven months after*; and she told me also, that she had been with y^e King and shew'd unto his grace y^e same revelation.

Tho' this was forg'd by her or any other, what default is mine, that knew nothing of that forgery? If I had given her any counsel to y^e forging this revelation, or had any knowledge that it was feigned, I had been worthy great blame and punishment. But whereas I never gave her any counsel to this matter, now knew of any forging or feigning thereof, I trust in your great wisdoms that you will not think any default in me touching this point.

And as I will answer before y^e throne of Christ, I knew not of any malice or evil that was intended by her, or by any other earthly creature unto y^e King's Highness: neither her words did so sound that by any temporal or worldly power, such thing was intended, but only by y^e power of God, of whom, as she then said, she had this revelation to shew unto y^e King.

But here it will be said, that I shou'd have shew'd y^e words unto y^e King's Highnesse. Verily if I had not undoubtedly thought that she had shew'd y^e same words unto his Grace, my duty had been so to have done. But

when she her self, which pretended to have had this COLL. &c. XXIX. revelation from God, had shew'd the same; I saw no necessity why that I shou'd renew it again to his Grace. For her esteem'd honesty, qualified, as I said before, with so many probable testimonies, affirming unto me that she had told y^e same unto y^e King, made me right assuredly to think, that she had shewed y^e same words to his Grace. And not only her own saying thus persuaded me, but her prioress's words confirmed y^e same, and their servants also reported to my servants that she had been with y^e King. And yet besides all this, I knew it, not long after that so it was indeed. I thought therefore that it was not for me to rehearse y^e Nun's words to y^e King again, when his Grace knew them already, and she her self had told him before. And surely divers other causes dissuaded me so to do, which are not here openly to be rehears'd. Nevertheless, when they shall be heard, I doubt not but they will altogether clearly excuse me as concerning this matter.

My suit therefore unto all you, my Honourable Lords, at this time is, that no act of condemnation concerning this matter be suffered to pass against me in this High Court before that I be heard, or else some other for me; how that I can declare myself to be guiltless herein.

And this I most humbly beseech you all, on your charitable goodnesses, and also if that peradventure in y^e mean time there shall be thought any negligence in me for not revealing this matter unto y^e King's Highness, you for y^e punishment thereof which is now past, ordain no new law, but let me stand unto y^e laws which have been heretofore made, unto y^e which I must and will obey.

Beseeching always y^e King's most noble Grace, that y^e same his laws may be minister'd unto me with favour and equity, and not with y^e strictest rigour. I need not here to advise your most high wisdoms to look up to God, and upon your own souls in ordaining such laws for the punishment of negligences, or of other deeds which are already past, nor yet to look upon your own perils which

COLL. &c. may happen to you in like cases. For there sits not one
 XXIX. lord here but y^e same, or other like may chance unto him-
 XXX. self that now is imputed unto me.

And therefore eftsoons I beseech all your benign charities to tender this my most humble suit as you wou'd be tender'd if you were in y^e same danger your selves: And this to do for y^e reverence of Christ for y^e discharge of your own souls, and for y^e honour of this most High Court: And finally for your own sureties, and others that hereafter shall succeed you, For I verily trust in Almighty God that by y^e succour of his grace, and your charitable supportations, I shall so declare myself, that every nobleman that sits here, shall have good reason to be therewith satisfied. Thus our Lord have you all, this most Honourable Court, in his protection. Amen.

No. XXX.

Bishop Fisher's Letter to the King about his Correspondence with the Maid of Kent.

Weever's
 Funeral
 Monum.

To the King's Most Gracious Highness.

PLEASE it you graciouse Highnes benignely to hear this my most humble sute which I have to make unto your grace at this time and to pardon me that I come not my selfe unto your grace for the same. For in good faith I have had so many periculouse diseases, oone after another, which began with me before Advent, and so by long continuance hath now brought my body into that weaknesse, that withouten perill of destruction of the same (which I darr saye your grace for your soveraigne goodnes wold not) I may not as yet take any traueyling upon me. And so I wrote to Maister Cromwell your most trustie counsellor, beseeching him to obtain your graciouse license for me to be absent from this Parliament, for that same cause; and he put me in comforthe soo to doo.

Now thus it is (most Graciouse Soueraygne Lord) that

in your most High Court of Parliament is put in a Bill COLL. &c.
 against me, concerning y^e Nunne of Canterbury, and in- XXX.
 tending my condempnation for not reuelyng of such
 wordes, as she hadde unto me towching your Highnes.
 Wherein I moost humblye beseech your Grace, that with-
 out displeasor I maye shew unto you the consideration
 that moued me so to doo, which when your moost excel-
 lent wisdome hath deaplye considered, I trust assuredlie,
 that your charitable goodnes will not impute any blame to
 me therfore.

A trowth it is, this Nune was with me thries in commyng
 from London by Rochester, as I wrote to Master Crom-
 well, and shewed unto him the occasions of her commyng,
 and of my sendings untyll her againe.

The fyrst tyme she came unto my house, vnsent for of
 my partye, and then she told me that she hadde been with
 Your Grace, and that she hadde shewed unto you a reue-
 lation which she hadde from Almighty God (your Grace I
 hope will not be displeased with this my rehearsall thereof)
 she sayd that *if Your Grace went forth with the purpose
 that ye intended, ye should not be King of England seven
 moneth after.*

I conceaued not by theis wordes, I take it upon my
 soule, that any malice or evill was intended or ment unto
 your Highnes, by any mortall man, but oonly that thei
 were the threattes of God, as she then did affirm.

And though thei were feaned, that (as I wold be saved,)
 was to me unknowen. I neuer counsailled her unto that
 feanyng, nor was privaye therunto, nor to any such purpo-
 ses, as it is now sayd thei went aboute.

Neuerthelesse if she hadde told me this reuelation, and
 hadde not alsoo told me, that she hadde reported the same
 unto your Grace, I hadde bene verylie farre to blame, and
 worthy extreame punysshment, for not disclosing the same
 unto your Highnes, or else to some of your counsaill; But
 sithen she did assure me therewith, that she hadde playne-
 lye told unto your Grace the same thyng, I thought

COLL. &c. doubtlesse that your Grace wold have suspected me that I
 XXX.
 had commyn to renewe hir tale agayne unto yow, rather
 for the confermyng of myn opinion, than for any other
 cause.

I beseech Your Highnes to take no displeasor with me
 for this that I will saye. It stykketh yet (moost graciouse
 soueraygne) in my hart, to my no little heynesse youre
 greiuous letters, and after that youre moost fearfull wordes,
 that your Grace hadde unto me for shewyng unto you my
 mynde and opinion in the same matter. Notwithstandyng
 that Your Highnesse hadde soo often and soo straitly
 commanded me to serch for the same before. And for
 this cause I right loth to haue comyn unto your Grace
 agayne, with such a tale pertayning to that matter.

Meny other considerations I hadde, but this was the
 very cause why that I came not unto your Grace. For in
 good faith, I dradde lest I shold therby haue prouoked
 your Grace to farther displeasor agaynste me.

My Lord of Canterbury also which was your great
 Counsaillor, told me, that she hadde been with your
 Grace, and hadde shewed you this same matter, and of
 hym (as I will answeare before God) I learned greater
 thynges of her pretended visions than she told me herself.
 And at y^e same tyme I shewed unto hym, that she had
 bene with me, and told me as I haue written before.

I trust now that your excellent wisdom and learnynge
 seeth there ys in me no defaute, for not revelyng of
 hir wordes unto your grace, whan she hir selfe did affirme
 unto me that she hadde soo done, and my lord of Can-
 terbury that then was, conformed alsoo the same.

Wherefore, moost Graciouse Soueraygne Lord, in my
 most humble wise I beseech your Highnes to dimisse me
 of this trouble, whereby I shall the more quietly serue God,
 and the more effectually pray for your Grace: This if
 there were a right great offence in me, shold be to your
 merite to pardon, but much rather taking the case as it is,
 I trust verily you will so doo.

Now my body is much weakened with many diseases COLL. &c.
 and infirmities, and my soule is much inquieted by this XXX.
XXXI.
 trouble, so that my harte is more withdrawn from God,
 and fro the devotion of prayer than I wold. And verily
 I thinke that my lyve may not long continewe. Where-
 fore eftsoones I besech your moost Gracious Highness,
 that by your charytable goodness I may be deliuered of
 this besynesse, and onely to prepare my soule to God,
 and to make itt ready agaynst the commyng of death, and
 no more to come abroode in the world. This Mooste
 Graciously Soueraigne Lord, I besech your Highenes, by
 all the singular and excellent endewments of your most
 noble bodie and soule and for the loue of Christ Jesu, that
 soo dearly with his moost preciouise bloode redeamed
 yowr soul and myn. And duryng my lyue I shall not
 cease (as I am bownden) and yett now the more entearly
 to make my praier to God for the y^e preservation of your
 most Royal Maiestie. At Rochester, the xxvii day of 1534.
 February.

Your most humble Beadman and Subject,
 Jo. Roffe.

No. XXXI.

*An Account of Elizabeth Barton, commonly called the
 Holy Maid of Kent.*

ELIZABETH BARTON, (now being Nun professed in the 25 Hen.
VIII.
c. 12.
 House and Priorie of St. Sepulcres of Canterbury) which
 long afore she was professed nun, dwelled with one
 Thomas Cob, in the parish of Aldington, in the countie of
 Kent, and happened to be visited with sicknesse, and by
 occasion thereof brought in such debilitie and weaknesse
 of hir braine, because she could not eat ne drinke by a
 long space, that in the violence of hir infirmitie, she seemed
 to be in trances, and spake and uttered manie foolish and
 idle words. And one Richard Master clerke, being par-
 son of the said parish of Aldington, in the saide countie
 of Kent, after that he had made to the late Archbishop of

COLL. &c. XXXI.
 Warham. Canterburie a far larger report, concerning the hypocrisie, tranes, and speeches of the said Elizabeth, than he could justifie and abide by, and after that he was commanded by the said Archbishop to give good attendance upon hir, if she should fortune to have anie more such tranes and speeches, and to send him knowledge thereof, to the intent to mainteine, uphold and verifie such report as he had made, as well to the Archbishop aforesaid, as to other, of the woonderfull tranes and speeches of the said nun: falslie and craftilie informed the said Elizabeth, that the maruellous words which she spake in hir tranes, afore his riding to the Archbishop aforesaid, proceeded of the inspiration of the Holie Ghost, and that she was greatlie to be blamed, if she would hide or dissemble the woonderfull works of God shewed in hir. For afore this his said information and instruction, she said constantlie, that she could not remember, that she spake anie such notable words in hir tranes, as were reported unto hir by the said Richard Master. Which Elizabeth being in this maner of wise often times persuaded, procured and informed by the said parson of Aldington, tooke boldnesse and courage to forge, faine and counterfeit such maner of tranes and craftie speeches, as the said parson of Aldington told hir, that she vsed in hir sicknesse afore he went to the said Archbishop. And when the said Elizabeth had vsed this maner of false and fained counterfeiting for a season, and was perfect therein, (so that the fame thereof was greatlie spred abroad in those parties of Kent) then the said person to the intent aforesaid, and to the intent the people should give more faith and credence unto hir, and because he would have increased the devotion of the people in comming on pilgrimage to a chapell set in Court at street aforesaid, within his said parish dedicat in the honor of our ladie, for his owne lucre and aduantage imagined, devised, compassed, and declared, with the aid, helpe, and counsell, of one Edward Bocking, moonke professed in the monasterie in Christs Church in Canter-

burie, and doctor in diuinitie, that the said Elizabeth, COLL. &c. XXXI.
being in the extasie and extremitie of hir sicknes, in a
maner distract in a transe, should saie amongst other won-
derful words that she should neuer take helth of hir
body till such time as she had visited the image of our
ladie, being in the said chapell at Court at street aforesaid,
and that our ladie had appeered vnto hir, and shewed hir,
that if she came to the said chapell at the daie to hir
appointed, she should be restored to hir health by miracle,
where in verie deed she was restored to hir perfect health
by diet and physike and by the course of nature, which
expelled the matter being cause of hir sicknesse, in the
meane time whilst the said parson of Aldington was with
the said Archbishop as is afore rehersed. And albeit the
said Elizabeth was thus naturallie restored to hir health,
yet she being accustomed and acquainted with the maner
and fashion of hir distract transes by the counsell, conspi-
racie and confederacie of the said Edward Bocking and
Richard Maister, did falslie practise, vse, and shew vnto
the people diuers and maruellous sudden alterations of hir
sensible parts of hir bodie, craftilie vttering in hir said
fained and false transes diuers and manie vertuous and
holie words, tending to the rebuke of sinne, and in reproo-
uing of such new opinions, as then began to spring in this
realme, which she called heresies, as she was inducted
and taught by the said Edward Bocking, and Richard
Master, vsing all the waies of false hypocrisie, to the intent
the people should giue beleefe, and credit vnto hir, where-
by they might be the sooner brought into the detestable
crimes of blasphemie and idolatrie against Almightye God.
And the said Edward Bocking, being maliciouslie fixed in
his opinion against the Kings Highnesse, in the said
detested matrimonie, and intending in his mind afterwards
for his part, falslie and traiterously to vse the said Eliza-
beth as a diabolike instrument, to stir, mooue, and pro-
uoque the people of this realme, as well nobles as others,
to murmure and grudge against the magestie of our soue-

COLL. &c.
XXXI.

reigne lord, and all his just and lawfull proceedings, in the said diuorse and seperation, as hereafter he did in verie deed, for the accomplishment of his said false, malicious, and traitorous intents, falselie deuised and conspired with the said Richard, that the said Elizabeth should shew and manifest hir self to the people, to be an excellent, vertuous, and holie woman, and that all hir words and deeds should appeare to the world, to proceed of a maruellous holinesse, rebuking the common sinnes and vices of the world, as though she were taught and inspired of the holie spirit of God. And not onelie moued and counselled of the said Elizabeth thus to use hir selfe, surmising to her y^t she spake such things in the extasie of hir sickness, that come by the inspiration of God, but also counselled and procured the said Elizabeth to be brought and conueied to the said chapell of Oure Ladie, and she therein openlie in the presence of the people (that there should be assembled by their procurements) should vse and experiment such like transes, and alterations of hir face, and other the outward sensible parts of hir bodie, as she vsed in the extremitie and extasie of hir said sickness. To whose counsels and aduertisements, the said Elizabeth agreed. Whereupon at a day by them appointed and agreed, the said Edward and Richard, laboured, solicited, and procured aboue the number of two thousand persons to repair to the said chapell, surmising that the said Elizabeth (which as they said) had maruellous and manie visions and reuelations of God, should be brought thither and there receiue hir health by miracle of our ladie, whose image was in the said chapell. By reason of which false, fained, and detestable conspiracie and hypoerisie, at the daie by them appointed, there assembled to the said chapell aboue the number of two thousand people. At which daie also, the said Edward Bocking and Richard Maister procured and caused the said Elizabeth to repaire to the said chapell, where the said Elizabeth, albeit she at that time and long afore was restored to health of hir

bodie, and discharged of hir torments and afflictions which she had in the extasie of hir sicknesse: yet nevertheless by the procurement and craftie counsell of the said Edward Bocking and Richard Maister, did falselie faine and shew vnto the people in the same chapell manie alterations of hir face and other outward sensible parts of hir bodie, and falslie fained and shewed hir self in trances, vttering wonderous words, as she was afore subtiltie and craftilie induced and taught by the said Richard and Edward to doo. And amongst other things she uttered, that it was the pleasure of God that the said Edward Bocking should be hir ghostlie father, and that she should be a religious woman, as she was taught by the said Edward Bocking and Richard Maister. And within a while after the demonstration of such false fained and dissimuled trances, she appeered to the people to be suddenlie releaued from hir sicknesse and afflictions, by the intercession and means of the image of our ladie being in the same chapell. By means of which false fained hypocrisie, dissimuled and cloked sanctitie so conspired and craftilie imagined by the said Edward Bocking and Richard Maister, the said Elizabeth was brought into a maruellous fame, credit, and good opinion of a great multitude of the people of this realme. And to increase the fame of the said false fained hypocrisie, the said Elizabeth, afterwards by the counsell and procurement of the said Edward Bocking, entred into the religion, and became a nun professed in the said priorie of S. Sepulchres, to whom the said Edw. Bocking had commonly his resort, not without probable, vehement, and violent suspicion of incontinencie, pretending to be hir ghostlie father by Gods appointment, and by conspiracie betwixt her and him, caused hir still to persist and abide in the practising of hir said false hypocrisie, and dissembling trances and rapt. And that she should surmit to the people, that when she was in such simuled alteration of hir sensible parts of hir bodie, that she was then rapt by Almighty God from the affections of this world, and told

COLL. &c.
XXXI.

COLL. &c. by the holy spirite of God manie things that should follow
XXXI.

to the world for punishment of sinnes of y^e princes and the people, and that she should say, that she was much provoked and tempted, as well to the sinne of the flesh, as otherwise by hir ghostlie enemye the diuell, at diuers and sundrie times, and in diuers and sundrie waies and fashions, and yet neverthesse, that she by the grace of God was preserued and stedfastlie resisted such temptations, by occasion of which counsell and procurement of the said Edward Bocking, the said Elizabeth by continuance of time tooke such a courage upon hir, that she falslie fained and said, that she had manie revelations of Almighty God and his holy saints, with hevenlie lights, hevenlie voices, hevenlie melodies, and joies, and speciallie in a chapell of S. Giles in the said nunrie, to the which chapell she oftentimes resorted to receiue visions and reuelations, as commanded by God, as she falslie reported, and speciallie by night, saieng that the dorture doore was made open unto hir by God's power, vttering the same, as well to the said Edw. Bocking, as to diuers other persons, by the which hir false fained reuelations and cloked hipocrisie, she was reputed amongst many people of this relme to be a very holy woman inspired with God, where in very deed she had neuer vision or reuelation from God, as she hath plainly and openly confessed hir selfe, and therfore hir steling foorth of the dorture in the night, which was once or twice weekelie, was not for spirituall businesse, nor to receiue reuelations of God but for bodilie communication and pleasure with hir freends, which could not haue so good leisure and opportunitie with hir by daie. And for reformation of hir false faigned reuelations, the said Edward by conspiracie betweene him and the said Elizabeth, revealed the same to the most Reuerend the Father in God, William, late Archbishop of Canturbury, who by false and vntrue surmises, tales, and lies of the said Edward and Elizabeth, was allured, brought, and induced to credit therein, and made no diligent searches

for triall of their said falshoods and confederations, but COLL. &c.
suffred and admittted the same to the blasphemie of Al- XXXI.
mightie God, and to the great deceit of the prince and
people of this relme, and for a perpetuall memory of the
said faigned and dissimuled hipocrisie and false reuelations
of the said Elizabeth, the said Edward Bocking, Richard
Master, and one John Dering, a monke in the said monas-
terie of Christ's Church aforesaid, made, writ, and caused
to be written sundrie bookes both great and small, both
printed and written, concerning the particularities of the
said false and feigned hipocrisie and reuelations of the said
Elizabeth, or the defense or great praise of the same, sur-
mounting and putting foorth the same false and feigned
practises and reuelations of the said Elizabeth to be just
and true miracles, shewed by Almighty God in the favour
of the sanctitie of the said Elizabeth, where indeed they
beene and were falslie deuised, compassed, conspired,
written, and meinteined by the said Elizabeth, Edward
Bocking, Richard Master, and John Dering, to the onelie
intent to bring the said Elizabeth in the fame and credit
of the people of this relme, wherby the people should be
the more apt and disposed by hir false cloked hipocrisie
and sanctitie to commit the crimes of blasphemie and idola-
trie against God, and also the sooner induced by the false
reuelations of the said Elizabeth, to murmure, grudge, and
be of euill opinion against the majestie of our said soue-
raigne lord, to the great perill and danger of his most
roiall person. And one Edward Thwaites, gentleman,
translated and writ diuers queers and sheets of paper, con-
cerning the said false faigned revelations and miracles of
the said Elizabeth. And also one Thomas Lawrence of
Canturburie, being register to the archdeacon of Cantur-
burie, at the instance and desire of the said Edward
Bocking, wrote a great booke of the said false and fained
miracles and reuelations of the said Elizabeth in a faire
hand, readie to be a copie to the printer when the said
booke should be put to stamp.

COLL. &c.
XXXI

Amongs which false and fained reuelations surmised by the said Elizabeth and put in writings in diuers books by the false conspiracie, means and procurement of the said Edward Bocking, Richard Maister, John Dering and other their complices, there is expressed, that the deuill should appeere to the said Elizabeth in diuers fashions, sometimes like a man wantonly appparelled, sometime like a bird deformed, and sometime otherwise. And that Marie Magdalen should often appeere to the said Elizabeth, and reuealed to hir manie reuelations. And at one time should deliuer to hir a letter written in heaven, part wherof was limned with golden letters, where indeed the same letters were written with the hand of a monke of S. Augustines in Canturburie named Haukherst.

There was also written and contained amongst the said false and fained miracles and reuelations, that when the Kings Highnesse was at Calis in the enteruiew between his Majestie and the French King, and hearing masse in the church of Our Ladie at Calis, that God was so displeased with the Kings Highnesse, that his grace saw not at that time at the masse y^e blessed sacrament in forme of bread, for it was taken awaie from the preest (being at masse) by an angell, and ministred vnto the said Elizabeth then being there present and inuisible and suddenlie conuained and rapt thense againe by the power of God into the said nunrie, where she is professed, with manie other false fained fables and tales deuised, conspired, and defended by the said Elizabeth, Edward Bocking, and John Dering, written as miracles in the said books for a memoriall, to set foorth the false and fained hypocrisie and cloked sanctitie of the said Elizabeth to the people of this relme, as by the said sundrie books and writings thereof made, seene and examined by the Kings most honourable counsell more plainlie appeareth. In which books be written such terms and sentences of reproach and slander against the Kings Highnesse and the Queene, which were too shamefull to be written against the most vile and

vngratious persons living, which to heere it would abhorre COLL. &c.
XXXI.
eurie true subject of this reelme.

And after the said Elizabeth, by such hir false and feined hypocrisie and dissembled sanctitie, was brought into a great brute and fame of the people in sundrie parts of this realme, then the said Edward Bocking, by procurement and secret conspiracie of diuers persons unknowne, which maligned against the proceedings of the Kings Highnesse, for the seperation and diuorse in the said detested and unlawful marriage, traitorouslie intending to put the Kings Highnesse in a murmur and euill opinion of his people for the same, counselled and stirred the said Elizabeth, that she should aske a petition of almightie God, to know whether God was displeased with the Kings Highnesse for proceeding in the said diuorse and seperation of the marriage betweene his Highnes and the said ladie Katherine, declaring to hir manie times, that he and diuers other notable learned men of this realme, and manie of the common people of the same, were in firme opinions, that the Kings proceeding in the said diuorse was against the laws of God. Whereupon the the said Elizabeth subtilelie and craftilie conceiuing the opinion and mind of the said Edward, willing to please him, reuealed and shewed vnto the said Edward that she had knowledge by reuelation from God that God was highlie displeased with our saide souereigne lord for the same matter. And in case he desisted not from his proceedings in the said diuorse and seperation, but pursued the same and married againe, that then within one moneth after such mariage, he should no longer be King of this relme; and in the reputation of almightie God should not be a king one daie nor one hour, and that he should die a villen's death. Saieng further, that there was a root with three branches, and till they were plucked up, it should neuer be merie in England, interpreting the root, to be the late lord cardinall, and the first branch to be the King our souereigne lord, the second the Duke of Nor-

COLL. &c. folke, the third the Duke of Suffolke. Which false
XXXI. feined reuelations, by the mischeeuous and malicious counsell and conspiracie of the said Edward Bocking with the said Elizabeth were written and expressed in the said books and volumes, conteining the false and feigned reuelations and miracles of the said Elizabeth, for a perpetual memorie thereof, to the vtter reproach and perill of destruction of the kings person, his honor, fame, and name, and prillie and secretlie set foorth by the said Elizabeth, Edward Bocking, John Dering, and Richard Master, generallie to diuers and manie of the kings subjects, and speciallie as to elect persons, and to the reuerend father, John, Bishop of Rochester, and John Adeson clerke, chapleine to the said bishop, and to one Henrie Gold preest bachelor of diuinitie, to Hugh Rich, frier obseruant, and late warden of the friers obseruants of Canturburie, which beare malice and malignitie to all the king's proceedings in the said diurse and seperation, because it was contrarie to their peruerse and froward opinions intending by colour of the said false and feined hypocrisie and reuelations of the said Elizabeth, not onelie to let the said diurse and seperation, but also to bring and set foorth secretly in the heads of the people of this realme, as well nobles as other, that all the Kings acts and proceedings in the same were against holie scriptures, and the pleasure of Almighty God, whereby the Kings Highnesse should be brought in a grudge and euill opinion of his people. And the said John, Bishop of Rochester, Henrie Gold, Hugh Rich, Richard Risbie, Richard Master, John Dering, at sundrie and seuerall times and places spake with the said Elizabeth, and tooke relation of hir of the said false and feined reuelations, which she feined that she had of Almighty God, as well concerning the Kings Highnesse as other after the forme and termes aboue specified: and having knowledge thereof, the said Hugh Rich, Richard Risbie, and Henrie Gold clerke, gave such firme and constant credit thereunto, that they traiterouslie

concealed it from the Kings highnesse, and traiterouslie COLL. &c.
beleeved in their hearts that the king our souereigne lord, XXXI.
after his late mariage solemnized betweene his highnesse,
and his said most deare and intirely beloved wife queene
Anne, was no longer rightful King of this realme, in the
reputation of Almighty God, whereby in their hearts and
wils they traiterously withdrew from his highnes their na-
turall duties of obedience: and secretlie taught and
mooued other persons (to whom they reuealed the said
false and feined reuelations) that they ought and might
lawfullie doo in the same wise: and practised the said
matters against the Kings majestie, falselie, maliciouslie,
and traitorouslie at sundrie places and times with the
fathers and nuns of Sion, and diuers moonks of the Charter
house of London and Shene, and with diuerse friers ob-
servants of the places of Richmont, and Greenwich, and
Canturburie, and to diuerse others both spirituall and
temporall persons in great number, to the intent to sow a
secret murmur and grudge in the hearts of the Kings sub-
jects, against the Majestie of our said Sovereign Lord
and all his proceedings in the said divorce and separation,
intending therby to make such a division and rebelling in
this realme amongst the King's subjects, wherby the Kings
highnesse should not onelie haue beene put to perill of his
life, but also in jeopardie to be deprived from his crowne
and dignitie roiall.

And for a more plain and particular declaration of the
malicious and traitorous intents of the said Elizabeth,
Edward Bocking, John Dering, Hugh Rich, Richard
Risbie, and Henrie Gold, they concluded by a confederacie
among themselves ech with other to set forth in sermons
and preachings the reuelations to the people of this relme,
against the Kings majestie, whensoever it should please the
said Elizabeth to appoint them the time, when they should
so doo: and agreed with ech other secretlie, and set forth
the said false and feined reuelations to their acquaintance
and freends in this realme, intending to make a great multi-

COLL. &c. tude of people of this realme, by their secret conspiracies,
XXXI. in an aptnesse to receive and take such their sermons and preachings, which they intended to make, as is aforesaid, concerning the premisses, traitorously intending thereby to put our said souereigne lord not onelie in the perill of his life, but also in the jeopardy of loss and deprivation of his crowne and dignitie roiall of this realme from him and his lawfull succession for ever. And in accomplishing of their false, traitorous, and malicious intents against our said souereigne lord, they caused the said Elizabeth at two times secretlie to declare the said false and feined reuelations, to two of the pope's orators and ambassadors at the cities of Canturburie and London. At which time the said Henrie Gold tooke upon him to be interpretator thereof, betweene the said Elizabeth, and one of the said orators named Anthonie Pulleon, and the interpretator to the other orator named Silvester, was the aforesaid Lawrence of Canterburie, to the intent the Kings highnes, and all his proceedings in the said divorce and seperation should be brought into an euill opinion with the pope and other outward princes and potentats: and the said Hugh Rich actuallie travelled to sundrie places in this realme and made secret relation of the premisses concerning the Kings highnesse, to diuerse lords both spirituall and temporall, and diuerse other persons laie and learned, secular, and religious. And the said Henrie Gold ouer this, actuallie travelled and made relation thereof to the said ladie Katherine princesse dowager, to animat hir to make commotion in this realme against our said souereigne lord, surmising that the said Elizabeth should haue by reuelation of God, that the said ladie Katherine should prosper and doo well, and that hir issue the ladie Marie the Kings daughter, should prosper and reigne in this reigne in this realme and haue manie freends to susteine and mainteine hir: and the said Elizabeth and Edward Bocking and John Dering and Richard Master, likewise actuallie travelled to diuerse places in this realme and made secret

relations of the said false feigned hypocrisie and reuelations of the said Elizabeth, and gaue knowledge heereof COLL &c. XXXI. to diuerse other sundrie persons of this realme.

All which conspiracies and confederacies of the said Elizabeth, and other hir complices, aboue mentioned, was traitorouslie and maliciouslie deuised and practised by the said Elizabeth, Edward Bocking, John Dering, Richard Master, Henrie Gold, Hugh Rich, and Richard Risbie, to the intent traitorouslie to destroie our sovereign lord, and to depriue him and his lawful succession from the crowne, and dignitie roiall of this realme, which matter hath beene practised and imagined amongst them for the space of manie years: wherof the whole circumstance were verie long to be written in this act. And the said John Fisher Bishop of Rochester, and one Thomas Gold, gentleman, and the said Thomas Lawrence, Edward Thwaites, and John Adison, chapleine to the said John Bishop of Rochester, hauing knowledge of the said false feigned and dissembled Reuelations, traitorouslie conspired against our said souereigne lord (as is aforesaid) did neuerthesse make concealment thereof, and vttered not the same to our said squereigne, nor anie his honorable counsell, against their duties and allegiance in that behalfe.

And furthermore the said Thomas Gold, for the accomplishment of his said most traitorous intent, hath of late beene a messenger from the said Elizabeth, since she was in ward in the tower of London, for the said most false and traitorous offences, by hir and hir said complices committed and doone (he then being at libertie) by his message hath comforted diuerse others to stand stiflie by hir reuelations, that they were of God; notwithstanding that she had confessed all hir said falshood before diuerse of the Kings counsellors, and that they were manifestlie prooved, found, and tried most false and vntrue: which thing he did onelie to raise and put sedition and murmur in the people against the Kings highnesse, his crowne, and

COLL. &c. dignitie roiall. And one Thomas Abell clerke, being of
 XXXI. the confederacie aforesaid, and taking such firme and
 XXXII. constant credit to the said false and feigned reuelations
 and miracles of the said nun, not onelie caused to be
 printed and set forth, in this realme diuerse books against
 the said diuorse and seperation, to the slander of our said
 souereigne lord, but also animated the said ladie Katherine
 obstinatlie to persist in hir wilfull opinion against the
 same diuorse and seperation: and after the said diuorse
 lawfullie had, to vsurpe and take upon hir still to be
 queene, and procured diuerse writings to be made by hir,
 by the name of queene: and also procured and abetted
 the servants of the said ladie Katherine, against the Kings
 expresse commandment and proclamation, to name, call,
 accept and repute the said ladie Katherine for queene of
 this realme: to the intent to make a common division and
 rebellion in this realme, to the great perill and danger of
 our said souereigne lord.

No. XXXII.

Cotton
 Library
 Cleopa:
 E. vi.
 fol. 168.

*A Letter of Thomas Bedyll, Clerk of the Council, to Bishop
 Fox of Hereford, the King's Almoner.*

AFTER my moost due thanks and hertie commendations
 unto you, I do you to unsterstand, that as it was agreed
 bytwixt you and me at your departinge I have deliverd
 at Maister Ffyssher's books late bisshop of Rochester de-
 vised by him in the defense of the King's grace first
 unlawful marriage, and against his secund lawful marriage,
 to my lord of Cauntrebury to be seen and weyed by him,
 and such as gyve attendance on hym at this tyme for
 thaunswer to be made to Cocleus boks and others, trusting
 that my said lord, and the said other lerned men wol
 make so substancial aunswer to the said Mr. Ffisher's
 books and the said others, that not only the people of this
 tyme but also suche as shal rede the said aunswers at al
 tymes hereafter shal wel perceyve thereby that al the

the Kings proceedings in thoes maters have been groundd COLL. &c.
 upon good reasons and auctorites founded in the law of XXXII.
 God whiche his grace was bounden in conscience to folow
 notwithstanding any other affection or intelligence.

I have also been* at Syon sith your departing with my
 lord where we have found the lady Abbas and susters as
 conformable to every thing as myght be devised. And as
 touching the father confessor and father Cursonn, whiche
 be the saddest men ther and best lerned, they shewed
 thaimselfs like honest men: and I think the Confessor
 wol now on Sonday next in his sermonn make due mention
 of the King's title of supreme head acording as he is com-
 maunded. What towardnes or untowardnes we have
 seen in some other of the brethern there I wol informe
 you at your retorne to London, and omitte it now bicause
 I have somm hope; that by the wisdomme of the father
 confessor and father Curson the residue shal shortly be
 brought to good conformite whiche be sumwhat sediciose;
 and have labored busily to infect thair felowes with ob-
 stinacy against the King's said title.

I had the father confessor alone in a very secrete com-
 munication concerning certen letters of the said Mr.
 Ffissher's, of whiche father Rainold made mention in his
 examinacionn, whiche the said Ffissher promised the
 King's grace that he never shewed to any other mann,
 nouthur wold. The said confessor hath confessed to me,
 that the said Ffissher sent to him, to the said Rainold and
 to one other brother of thers decessed, whoes name I re-
 member not, the copy of his said letters directed to the
 King's grace, and the copy of the King's aunswer also;
 but he hath sworn to me upon his fidelite, that the said
 copies tarried not with thaim but one nyght, and that none
 of his brethern saw thees same but thees thre aforementioned.
 He hath knowleged to me also, that the said Ffissher sent

* A Monastery at Ialeworth in Twickenham in Middlessex, wherin were
 sixty Nuns, of which one was the Abbess, thirteen Priests, four Deacons,
 and eight Lay-brethren of the Order of St. Brigit.

COLL. &c.
XXXII.
XXXIII.

unto thaim with the said copies a boke of his made in the defense of the King's grace first marriage whiche he confessed himself to have in his kepyng, and which he hath willingly delivered unto me, and also Abel's booke, and one other booke made by themperour his Ambassador as I suppose.

Stokealey. My Lord of London declared reasons for the confirmation of the King's title of supreme hed, and for the information and extinction of the bisshop of Rome's jurisdiction and power within this realme in such maner and fashion as was excellent and singuler. And maister Mor --- hath used himself like a faithful true mann to his prince, and I wold ye wold write him somm commendations or thanks to recomfort him.

Finally, maister Almainer, and I wolde know your mynd and pleasure concernyng the boke whiche we drewe out of my lord of York his --- both devises, whereof we withdrewe many things and likewise added. And where ye willed us to adde thereto such substancial mater for the purpose as we shulde thinke convenient that it myght be set furth to print; Albeit we have gathered suche mater as perc --- shal pleace you when ye see it, yet we wol not be so bolde as put it to printe tyl ye see it and allowe it.

I have kept London al this yer and have had litel passe tyme abroad. If it myght pleace you to help me to a warrant or two in Kent at Ledys or elswher or nyghe Londonn it wolde be mucche to my comfort, whiche am alwayes at your commaundement From London the 28th day of July.

By your owne

Thomas Bedyll.

No. XXXIII.

Weever's
Funeral
Monu-
ments.
p. 506.

*Archbishop Cranmer's Letter to Mr. Secretary Cromwell
in behalf of Bp. Ffisher, and Sir Thomas Moore.*

RIGHT worshipful Maister Cromwell, after most hartly commendations, &c. I doubte not but you do right well

remembre, that my Lord of Rochester, and Master More, COLL. &c.
were contented to bee sworne to the Actt of the King's XXXIII.
sucession, but not to the preamble of the same: what was
the cause of thair refusall thereof, I am vncertaine, and
they wolde by no meanes expresse the same. Neverthe-
lesse it must nedis be either the diminution of the autho-
ritie of the Bishop of Rome, or ells the reprobation of the
King's first pretensed matrimony. But if they doe ob-
stinately persiste in thair opinions of the preamble, yet
me semeth it scholde not be refused, if thay will be sworne
to the veray acte of succession; so that thay will be
sworne to mayntene the same against all powers and po-
tentates. For hereby shall be a great occasion to satisfie
the Princesse Dowager, and the Lady Mary, which doe
thinke that they sholde dampne thair sowles, if they sholde
abandon and relinquish thair astats. And not only it
sholde stop the mouths of thaym, but also of th' empe-
rour, and other thair friends, if thay give as much cre-
dence to my Lord of Rochester, and Master More spekyng
or doinge against thaym, as they hitherto haue done and
thought, that all other sholde haue done whan they spake
and did with thaym. And peradventure it sholde be a
good quietation to many other within this realme, if such
men sholde say that the succession comprised within the
said acte is good, and according to God's lawes. For
than I thinke there is not one within this reaulme that
wolde ones reclaime against it. And whereas diuers
persones either of a wilfulnesse, will not, or of an indurate
and inuertible conscience can not, altre from thair opinions
of the King's first pretensed marriage, (wherein they haue
ones said their minds, and percase haue a perswasion in
their heads, that if they sholde now vary therfrome, their
fame and estimation were distained for euer) or else of
the authoritie of the Busschope of Rome: yet if all the
reaulme with one accord wolde apprehend the said suc-
cession, in my iudgment it is a thing to be amplected and
imbraced, which thing, although I trust surely in God,

COLL. &c. that it shall bee brought to passe, yet hereunto might not
 XXXIII. a little auaille the consent and othes of theis two persones
 XXXIV. the Busshope of Rochester, and Maister More with thair
 adherents, or rather confederats. And if the King's pleasure
 so were, thair sayd othes myght be suppressed, but whan
 and where his highnes might take some commoditie by the
 publishinge of the same. Thus our Lord haue you ever in his
 conseruation. From my Maner at Croydon, the xvii day of Aprill.

Your own assured euer,
 Thomas Cantuar.

No. XXXIV.

E Registro
 Literarum
 Coll. Joan,
 p. 48.

Literæ ad Roffensem a Collegio.

Reverendo in Christo patri D. Johan : Fishero Episcopo
 Roffensi.

IN magnis tuis circa gregem tibi a Deo commissam occupationibus, in summis laboribus quos pro tuenda Christi religione sustines, in assiduis tuis in Lege Domini meditationibus, in orationibus, in lectionibus, in scriptionibus, postremo in acerbis et molestis quas jamdudum ingruunt curis et adversitatibus, Reverende in Christo pater, digneris filiorum tuorum legere epistolam. Quæ quidem magis ex eo scripta est quod tacere pudeat, quam quod perspectum habeamus quid loqui conveniat. Turpe enim et nefarium arbitramur, in hoc rerum statu, non nostrum erga te affectum significare, et piam declarare sollicitudinem. Et cum ceteri omnes his temporibus, qui vel nobilitate Christiani nominis gaudent, vel quibus patria chara est et respublica, de tuis incommodis et molestijs dolent, ingratisissimi sanè nos essemus, imo ne pietatis quidem integram existimacionem tueri ac sustinere possemus, si non maximè quicquid tibi adversi accideret nos cruciaret, et summum animis nostris dolorem inureret. Sed quanquam sanè vehementer dolemus te in periculum harum tempestatum, quas hoc seculo Divina excitavit offensio, incidisse, tamen non præterea totos occupat animos nostros dolor,

imò verò magnam etiam inde lætitiā concipimus, atque COLL. &c.
XXXIV.
itā postea quam de afflictationibus quibus jamdudum
cœpisti jactari ad nos allatum est, diversi et planè con-
trarij affectus, mœror et gaudium, mentes nostras hinc
inde distraxerunt. Neque enim fieri potuit, cum aliquid
tibi adversi aut incommodi accidisse audiremus, quin acerbo
perculsi nuncio incredibili dolore afficeremur. At rursum
cum recordaremur et in memoriā revocarem quantum
sit divini favoris signum in hoc mundo pro justitia tribu-
lationem perpeti, magna statim animi nostri lætitia ges-
tierunt, quia te inde intelligeremus, id quod nobis dubium
nunquam erat, Deo magis quam hominibus placere. Id
enim est quod nos quotidianis pro te precibus rogamus, ut
te suum esse velit, ut gratiam suam cumulatissime tibi
conferat, ut spiritu suo copiosissimè te impertiat, non ut
hominibus placeas, quibus si placeas verendum Christi
servus non esses. Nos ut te consolemur, si quis te mo-
lestus casus affligat, nec opus est, nec a nobis id prestari
potest. Tibi enim sanctissimo Dei episcopo, qui Christi
et Apostolorum ejus vestigijs constanter insistis, ipsa jus-
titiae nomine suscepta tribulatio immensam quandam et
ineffabilem ex se parit consolationem, plenam divinæ cu-
jusdam et absconditæ suavitatis ex sinceritate conscientiae
manantem. Porro quaecunque sunt exempla quæ ad
patientiam firmandam ac roborandam afferri possint, nemo
te mortalium, pater reverende, melius aut novit aut me-
moria tenet, ut supervacaneum sit et plane ridiculum
nostra consolatione nos tibi obstrepere, et simile esset ac
si patri filius infans, vix dum primam tentans balbutiem,
de exprimendo sermone præcipiat. Quod ergo nostrum
est officium? Nimirum, in hoc indies ardentius instare, in
quo sumus assidui, videlicet precando Dominum Nostrum
Jesum Christum ut te omnibus gratiæ suæ divitijs locu-
pletatum ecclesiæ suæ incolumem servet. Si vero aliquid
incommodi aut ex corporis imbecillitate, aut ab externis
mundi difficultatibus a Deo fuerit immissum, id Christus
tibi vertat in bonum. Nos tibi fatemur tot nos esse bene-

COLL. &c. XXXIV. XXXV.
 beneficijs obstrictos ut ne recensere quidem aut verbis consequi valeamus. Tu nobis pater, doctor, præceptor, legislator, omnis denique virtutis et sanctitatis exemplar. Tibi victum, tibi doctrinam, tibi quicquid est quod boni vel habemus vel scimus nos debere fatemur. Quo autem tibi possimus referre gratiam, aut beneficium rependere habemus nihil præter orationem quâ continenter Deum pro te interpellamus. Quæcunque autem nobis in communi sunt opes, quicquid habet collegium nostrum id si totum tuâ causâ profunderemus ne adhuc quidem tuam in nos beneficentiam assequeremur. Quare, reverende pater, quicquid nostrum est obsecramus utere ut tuo. Tuum est, eritque quicquid possumus, tui omnes sumus erimusque toti. Tu nostrum es decus et præsidium, tu nostrum es caput, ut necessario quæcunque te mala attingant, ea nobis veluti membris subjectis acerbitem inferant. Speramus autem Deum optimum et clementissimum omnia a te mala prohibiturum, omnibusque te semper bonis pro suâ misericordia aucturum. Sin vero aliquid interveniat quod durum et asperum secundum mundi iudicium, esse videatur, ut illud tibi molle, jucundum, facile, atque etiam honorificum Deus efficiet; quemadmodum Crucis odium et ignominiam in summum honorem et gloriam commutarit. Dominus noster Jesus Christus non destituat te consolatione spiritus sui in æternum. In quo fœlix Vale Reverende Pater.

No. XXXV.

Part of the Bill of Indictment of Bishop Fisher.

Cotton
 Library
 Cleopat.
 E. vi.
 fol. 178.

QUIDAM tamen Johannes Fysshier nuper de Civitate Roffen in Com: Kanc: Clericus, alias Dominus Johannes Fysher nuper de Rofen: Episcopus, Deum pre oculis non habens, sed instigatione diabolica seductus, falsè, maliciosè, et proditoriè optans, volens et desiderans, ac arte imaginans, inventans, practicans, et attemptans serenissimum dominum nostrum Henricum octavum Dei Gracia Anglie

et Francie Regem, Fidei Defensorem et Dominum Hibernie atque in terra supremum caput ecclesie Anglicane, de dignitate, titulo, et nomine suis in terra supremi capit^{COLL. &c.}is Anglicane ecclesie dicte imperiali corone sue, ut præmittitur, annexis et unitis deprivare septimo die Maij anno regni ejusdem Domini Regis vicessimo septimo apud Turrim London in com. Middlesex contra legiancie sue debitum hec verba anglicana sequentia diversis dicti domini regis veris subditis falsè, maliciosè, et proditoriè loquebatur et propalabat videlicet, *The Kyng owre soveraign lord is not supreme hed yn erthe of the Cherche of England* in dicti domini regis nimium despectum et vilipendium manifestum ac in dictorum dignitatis, tituli, et nominis status sui Regalis derogacionem et prejudicium non modicum, et contra formam dicti alterius actus predicti Anno 26^o editi et provisi, ac contra pacem prefati domini regis, &c.

No. XXXVI.

Extracts from the Life of the Virtuous Christian and Renowned Queen Anne Boleigne. By George Wyat, Esq. Grandson to Sir Thomas Wyat the elder.

MS. Penes
Francis-
cum Wyat,
Armig.

———AND for that which may lie in me, although partly a kind of interest hereto, and partly the peculier meanes that I have had more then others to come to some more particuler knowledge of such things as I intend to handle ought to draw thus much from me, yet much more the request of him that hath bin by authoritie set on woorke in this important busines, both for the singular giftes of God in him, of wisdom learninge, integritie and virtue, and also the incoragment I have had of late from the right reverend my Lord of Canterburie's Grace to set downe what vnderstandinge I have had of this matter is both my warrant, and a bond the more upon my conscience to hold me urged and constrained not to neglect such an

To the
Christian
Reader, in
another
hand.

COLL. &c. oportunitie of my service to the church, my prince and
 XXXVI. countrye. Principaly his desire was, and my purpose in
 satisfiinge it, *to deliver what I knew touchinge certin
 things that happened to the excellent Lady, the Lady
 Anne B—— about the time of her first cominge to the
 Court.* Yet consideringe I had some other knowlege of
 things that might be found serviseable no les then *that*,
 and also might give light and life to the faithful narration
 of this whole matter, I have supposed it would fale best
 to deliver the same as it were under the description of her
 whole life: and this the more particularly and frankly,
 that al things knowen, those that I understood were to
 visit it againe might take what they should thinke most
 material for their use. And would to God I could give
 that grace and felicitie of stile unto it that the worthines of
 the subject doth require, notwithstandinge that in this
 regard I am the les careful for that it is to pas through
 their hands that can give it better vesture, and I shal the
 more torne my care to intend the sincere and faithful deli-
 verie of that which I have received from those that both
 were most likely to come to the most perfect knowlege
 hereof, and had lest cause, or otherwise for themselves
 could lest give just reason of suspition to any either of
 minde of partialitie, or wil to faine or misreport any whit
 hereof. And indeed chiefly the relasion of thos things
 that I shal set downe is come from two. One a lady that
 Mrs. Anne first attended on her both afore and after she was Queene,
 Gainsford. with whose howse and mine ther was then kindred and
 strict alliance. The other also a lady of noble bearte
 livinge in thos times, and wel acquainted with the persons
 that most this concerneth, from whome I am myself
 desended. A littel therfore repeateinge the matter more
 high, I wil desrive the discourse hereof from the very
 springe and fountaines, whens may appeere most cleerly
 by what occasion and degreese the streame of this whole
 cause hath growne to such an ocean as it were of memora-
 ble effectes through al our parts of Christiandome, not by

chance or wits of men so much as even by the aparant COLL. &c.
 woorke of God, as I hope presently to make plaine to al XXXVI.
 men.

The se of Rome, havinge rissen in this our age unto a ful tide of al wickednes, had overflowed al thes parts of the world with the fluds of her evels, whereby was occasioned and had beginninge the eb of al her pomp, power and glorie, everie particular devisinge, as if it had beene by one consent and accord (so shewing it the more apparantly to come of God) to provide for the time to come against her so great inundasion of mischiefes. Hereof in England, Germanie, Italie, and in many other places, sondrie persons of singuler learninge and pietie, one succeedinge another at divers times opened their mouthes as trompets to cale men to this woorke upon several occasions, al risinge from the outrageous corruptions and fominge filth of that se. But chiefly and most notoriously in the time of Henrie the viii of famous memorie this came to pas by the just judgment of God upon *her*, and his mercie upon *us*, where the same politie by which she had in custome and then made her self most assured to strengthen her self in givinge to princes licence to unlawful contractes (esteeminge therby to tie them and their issuse the more strongly to her) the bondof so evel counsel breakinge suddinly set at libertie the certin meanes of this greate opposition against her after almost through al Europe. So littel assurance espetially have evel foundations of usurped authoritise against the provoked judgments of God by sin, and general displeasure of man upon just conceaved indignitise.——ther was at this present presented to the eye of the Court the rare and admirable bewtie of the fresh and younge Lady Anne Boleine to be attendinge upon the Queene. In this noble imp the graces of nature graced by gracious education seemed even at the first to have promised blis unto her aftertimes.———She was taken at that time to have a bewtie not so whitly as cleere and fresh above al

COLL. &c. we may esteeme, which appeared much more excellent by
 XXXVI.

her favour passinge sweete and cheerfull, and thes both also increased by her noble presence of shape and fassion representinge both mildnes and maiestie more then can be exprest.——Ther was founde indeede upon the side of her naile upon one of her fingers some little shewe of a naile, which yet was so smale, by the report of those that have seen her, as the woorkmaister seemed to leave it an occasion of greater grace to her hand, which with the tip of one of her other fingers might be and was usually by her hidden without any lest blemish to it. Likewise ther were said to be upon some parts of her boddy certin smale moles incident to the clearest complections. And certainly both thes were none other then might more staine their writings with note of malice that have catch at such light motes in so bright beames of bewtie then in any part shaddow it, as may right well appeere by many arguments, but chiefly by the choice and exquisit judgments of many brave spirits that were esteemed honorably to honour the honourable parts in her, even honored of envie itself. Amongst theis two were observed to be of principal marke. The one was

See Earl of
 Surry's
 Character
 of him.

Sir Thomas Wiat the elder.——The other was the Kinge himself——The Knight in the beginninge cominge to beholde the sudden apearance of this new bewtie came to be holden and surprized somewhat with the sight therof, after much more with her wittie and graceful speach his eare also had him chained unto her, so as finally his hart seemed to say, *I could gladly yeald to be tiede for ever with the knot of her love*, as somewhere in his verses hath bin thought his meaninge was to expres. She on the other part findinge him to be then married, and in the knot to have been tiede then x years rejected al his speach of love, but yet in such sort as what so ever tended to regard of her honour she shewed not to scorne, for the general favour and good will she perceived al men to beare him, which might the rather occasion others to torne their lookes to that which a man of his woorth was brought to

gaze at in her, as indeede after it happened. The King COLL. &c. XXXVI.
 is held to have taken his first apprehension of this love after such time as upon the doubte in thos treaties of mariages with his daughter Mary, first with the Spaniard, then with the French, by some of the learned of his owne land he had vehimently in their publique sermons and in his confessions to his gostly fathers bin praied to forsake that his inestious life by accompaninge with his brothers wife, and espetially after he was moved by the Cardinal, then in his greatest trust with the Kinge, both for the better quietnes of his conscience, and for more suere set-
 teling of the succession to more prosperous issue.——

About this time, it is saide that the Knight intertaininge talke with her as she was earnest at woorke, in sportinge wise caught from her a certin smale jewel hanginge by a lace out of her pocket, or otherwise loose which he thrust into his bosome, neither with any earnest request could she obtain it of him againe. He kept it therfore and ware it after about his necke under his cassoque, promisinge to himself either to have it with her favour, or as an occasion to have talke with her, wherein he had singuler delight, and she after seemed not to make much recconing of it, either the thinge not beinge much worth, or not woorth much strivinge for. The noble prince havinge a watchful eie upon the Knight, noted him more to hover about the lady, and shée more to keepe a loofe of him, was whetted the more to discover to her his affection, so as rather he liked first to trie of what temper the regard of her honour was, which he findinge not any way to be tainted with thos things his Kingly Majestie and meanes could bringe to the batterie, he in the end fel to win her by treatie of marriage, and in this talke tooke from her a ringe, and that ware upon his littel finger; and yet al this with such a secresie was carried, and on her part so wisely, as none or verie few esteemed this other then an ordinarie cours of dalliance. Within few daise after it happened that the Kinge sportinge himself at bowles had in his company

COLL, &c. (as it falls out) divers noble men and other courtheours of
 XXXVI. account, amongst whom might be the Duke of Suffolke,
 Sir F. Brian and Sir T. Wiat, himself beinge more then
 ordinarily plesantly disposed, and in his game takinge an
 occasion to affirme a cast to be his that plainly appeared
 to be otherwise, thos on the other side saide, with his
 grace's leave, they thought not, and yet stil he, pointinge
 with his finger whereon he ware her ringe, replied often
 it was his, and specially to the knight the said : Wiat I tel
 thee it is mine, smilinge upon him withal. Sir Thomas at
 the leangth castinge his eye upon the King's finger, per-
 ceived, that the Kinge ment the lady whose ring that was,
 which he wel knew, and pausinge a littel, and findinge
 the Kinge bent to pleasure, after the words repeated
 againe by the Kinge, the Knight replied, and if it may
 like your Majestie to give me leave to measure it, I hope
 it will be mine ; and with al tooke from his necke the lase
 where at honge the tablet, and therwith stooped to mea-
 sure the cast, which the Kinge espiunge knew, and had
 seene her were, and therwithal sporn'd away the bowle,
 and saide, it may be so, but then am I deceived, and so
 brake up the game. This thinge thus carried was not
 perceived for al this of many : but of some few it was.
 Now the Kinge resortinge to his chamber shewinge some
 discontentment in his countenance found meanes to breake
 this matter to the lady who with good and evident prooffe
 how the Knight came by the jewel satisfied the Kinge so
 effectually, that this more confirmed the King's opinion of
 her truith then himself at the first could have expected.
 Shortly upon the return of the Cardenal the matter of the
 Dutches* coolinge everie day more and more his credit
 also wained til it was utterly eclipsed, and that so busied
 the great personages that they marked the les the King's
 bent, the rather for that some way it seemed healpful to
 their woorkinge against the Cardinal. The Kinge also
 tooke here oportunitie to proceede to discover his ful and
 whole meaninge to the lady's father, to whome we may be

* The King
 of France's
 sister.

be suere the news was not a littel joiful.———Al this COLL. &c.
XXXVI.
notwithstandinge, her virtue was not so dased with the glorie of so forcible attractives, but that she stood stil upon her guard, and was not, as we would suppose, so easily taken with al thes aparances of happines; wherof two things appeared to be the causes. One the love she bare ever to the Queene; whome she served, that was also a personage of greate vertue. The other her conceit that there was not that freedome of conjunction with one that was her Lord and Kinge, as with one more agreable to her estate. Thes thinges being wel perceived of the Queene shew she knew wel to frame and work her advantage of, and therfore the oftener had her at cards with her, the rather also that the Kinge might have the les her company, and the Lady the more excuse to be from him, also she esteeme herself the kindlier used, and yet withal the more to give the Kinge occasion to see the naile upon her finger. And in this intertainement of time they had a certain game that I cannot name then frequented, wherein dealinge, the Kinge and Queene meetinge they stopt, and the younge Lady's hap was much to stop at a Kinge. Which the Queene notinge saide to her playfellow, my Lady Anne, you have good hap to stop at a Kinge; but you are not like others, you will have al, or none. So often earnest matters are delivered under game. Yet had the Kinge his times, and she in the end yealded to give her consent of marriage to him, whome hardly ever any before was found able to keep their hold against. This was now so far to the pleasure of the Kinge, that fourthwith he with her and her father concluded to open the matter to the counsel, al other things beinge ripe therunto, and specially for that it was not possible to keepe it any longer from the talke of men neere his person, and the more the Queene beinge found to take such knowledge therof. It is thought then the fable was diversly carried to give opinion upon this matter; some of the nobillitie wissHINGE rather to have had so good hap lighted to some of their

COLL. &c. owne houses; others that it had not bin at al; some
 XXXVI.

inclininge to either of thes, as dependinge on them; but most liked better the King's owne choice, both for the hope of issue, and that the greatnes of greate men shuld not grow to greate to sway with in maninging of matters of state. But howsoever, it apeered manifestly that presently ther were practices discovered on al sides, under sondrie arts, on the parts of Spaine, from Rome and that faction, and from the Queene her self, and specially some with the Kinge, some with the Lady herself, plotted to breake or stay at the lest, til somethinge might fale betweene the cup and the lip that might breake al this purpose with one of them if it might have bin. And verily one of thes may seem for this present occasion not unmeete to be recounted: which was this. Ther was conveied to her a booke pretendinge old prophicese wherin was represented the figure of some personages, with the letter H upon one, A upon another, and K upon the third, which an expounder therupon tooke upon him to interpret by the King and his wives, and to her pronounsinge certin destruction if she married the kinge. This booke cominge into her chamber, she opened, and findinge the contents called to her her maide of whome we have spoken afore, who also bare her name: 'Come hether, Nan,' saide she, 'see here 'a book of prophicese, this, he saith, is the Kinge, this 'the Queene* weeping and wringing her hands, and 'this is myself with my head of.' The maide answered, 'If I thought it true, though he were an Emperour, I 'would not myself marrie him with that condition,' 'Is, 'Nan,' replied the Lady, 'I thinke the booke a bable, yet 'for the hope I have, that the realme may be happie by 'my issue, I am resolved to have him, whatsoever might 'become of me.'——The Romish* fable framer, if he may be believed, affirmeth another practice after this sort: That 'Sir Tho: Wiatt comminge to the Counsel, for his 'better securitie, confessed to have had dealings with that 'Ladye afore he had any perceivinge of the King's pur-

* mourn-
 inge.

† Sanders.

'pose of marriage, but not being credited by the Kinge, COLL. &c. XXXVI.
 'that Wiat, as not findinge it wel he was not believed,
 'affirmed he would bringe the Kinge where he might see
 'him injoy her. And, *that* againe beinge delivered by
 'the Duke of Suffolk to the Kinge he yet beleived it not.'
 But it is certain, that the whole or greatest part of this
 fiction, for the persons, manner and event of thes things
 have bin utterly mistaken and misshapen. For I have
 heard by the report of one of right good and honourable
 account, and of much understandinge in such things, who
 also hath the truith of his word in high respect, that it
 was Sir Francis Brian that confessed such a like thinge to
 the Kinge by another Lady with other successe more
 likely, which was that the Kinge thereupon pardoned *him*
 indeede, but rejected and gave over the lady ever after to
him. Whether the Duke might, upon the sight of that
 which happened at bowles, take any occasion with the
 Kinge to dissuade the marriage, supposinge the Knight
 could not or would not otherwise have cleered himself
 and the Lady but by confessinge and cravinge pardon for
 it as don before he had knowledge of the King's intention,
 I cannot say, and by ges I will not affirme it in any case of
 any, much les of so woorthy and noble a personage. Only
 this I say, that if he did so, I believe verily, that he was
 greatly deseved therein of his expectation, as findinge
 that by good prooffe the Knight could cleer himself and
 her of that matter, even to the ful assuringe and ascerte-
 ninge of the Kinge of the manner of his comminge by the
 jewel without her dishonour, and, that so the Duke, if he
 did so, might come to find himself had goon to far as to
 have purchased to himself therby mislike both of the
 King and Queene whereupon he might torne his heave
 displeasure to the Knight ever after. I know of a certintie,
 that the Knight had a most high opinion of that princely
 Lady's noble virtuse as by trial, and chiefly in the matter
 of the bowles, in that she tooke not or interpreted il of his
 deede, (as her selfe beinge in her owne conscience cleere)

COLL. &c. but as he ment it to the King's disport before knowlege
XXXVI. of the marriage. This is true also that Sir Thomas Wiat was twice sifted and lifted at, and that noble man both times his most heaue adversarie, as I have to shew under the Knightis owne hand in his answere to his last inditment. Neither could I ever learne what might be the cause of his so perpetual grudge, save only that it apeereth to be as old as this. Som man might perhaps be led to thinke that the Duke might have a spetial end to draw him to enter and venter so far to the breakinge of the match. And it is true that he was then married with the King's second sister when the Kinge had then remaininge but one only daughter, and then she also questioned whether legitimate. That then also was procured a statute to cut of foraigne titles; and it is true also that after the ambition of some to occasion hereby to thrust the Duke's issue, even before the proper and lawful issue of the Kinge into the regal seate. Al this notwithstandinge I will never be induced to give that opinion of that nobleman, but rather I would thinke, if he did any such thinge in any sort givinge colour to this phantacie of the Roman Legender, he did it upon zeale that in his conceite it was true, and that he thought the Knight would so far confes it as doon before talke of the King's marriage, when he saw he had past so far in the measuringe of the cast. And though the whole fiction have scant so much as shaddow of colour of any aparance, yet for that part where he deviseth that Sir Thomas shuld afore the counsel apeach himself and that lady, or, after not being credited, offer to make the King see him to have to doo with her, this shewinge itself sufficiently falsefied to any wise and understandinge reader, especially consideringe it particularly with the circumstances, it is so far from al likelihood, as al presumptions are flat against it, as in a word or two shal now be shewed.

For that princely Lady she livinge in Court where were so many brave gallants at that time unmarried she was not like to cast her eie upon one that had bin then married ten

years. And her parents then in good and honourable place resient in court, and themselves of no meane condition, they would keepe no doubt a watchful eye over her to see she shuld not roome, to the hinderanse of her owne preferment, a cours so foule with one where was no colour of marriage. The King's eie also was a guard upon her, as also thos that pleased the Kinge in recountinge the adventurs of love happeninge in Court made it hard, specially for the shortnes of time after her placinge ther, and the Kinge's owne love. Also she that held out against such a Kinge, where was hope of marriage, what was like she shuld doo to the Knight, where his owne lady and her frends were stil to attend upon their doings, whose testimonise of the honorable carriage of that Lady are therfore here most stronge for her? And for the Knight if he had injoied her, was he so far desperatly wicked and a monster in love that he would openly, purposely, and to his owne disgrace, vant the spoile of a maide of so good frends and likelihuds of advancements without al regard of God or man? Especialy when she had stood so well upon the assurance of her owne innocencie for the matter of the jewel without torninge him to any displeasure therby. Thos that knew him best knew him far from that dishonest disposition chiefly in this kind, and for so gros a villany. And if he had bin of that minde, yet was he knowen not of so little wit or understandinge upon a point that was not verie likely to be knowen to discover his owen and her evel, where was a great deale more likelihud that, the King belivinge her rather then him, he was to incurre a more certin and greater mischif that might in al presumption fale by the heavie displeasure of them both upon himself ever after. And if we could immagin him both so wretchedly dishonest, and so very a sot (neither of which could be found of him) his father than counseler to the Kinge, for his wisdom, years and experience more grave, would not have suffered him yet to quit himself so fondly, and to be so mad, especialy as when the King had

COLL. &c.
XXXVI.

COLL. &c. shewed not to believe it then to ronne more obstinately to
 XXXVI. offer when the Kinge had made her privie hereunto to
 bringe *her* that the Kinge shuld see *her* also so mad as to
 yeald to him after she had given consent of marriage to
 the Kinge. Who would not believe them also mad that
 would believe so mad a carriage of such a busines amongst
 grave and wise men howsoever the railing Romanist be
 so mad to writ it so as he would seeme mad with reason?
 For the Kinge also besides that he had more occasion and
 meanes than any other to note and observe her doings,
 yet much more (as the nature of generous spirits carrie
 them) He was watchful upon the Knight, as in other
 things so chiefly in this, not to be out ronne at this gar-
 land of love: so as by himself and by the eiese of others
 ther was not any trip but would have bin spiede, no likli-
 hud but would have carried suspicion with it, how much
 more would the Knighte's confession have sonke into his
 head? Would he beinge so wise a prince have forgotten
 that the sobernes of his choise would serve much for satis-
 fyinge the world touchinge his divorce? Had he not time,
 had he not leasure to learne, to inquiere and sift out al
 things? His care used in gatheringe opinions of Univer-
 sitise, and in informinge princes of the whole matter with
 al circumstancese in the maninginge this cause by the space
 of some years shew he was not so passionate a lover, but
 also withal a wise and considerat prince. But it is saide
 the Kinge beleived it not! Yet what? when the Knight
 (as this tale saith) offered to make the Kinge see it, and
 that avowed to the Counsel! could such a prince as he
 swallow this? Doubtles none that hath his wits wil thinke
 so, none that knew the complection of the Kinge could
 induce himself to suppose a thinge so incredible. The
 case of Sir Francis Brian's openninge of his love had ano-
 ther effect, and shews plainely that the Kinge was of
 another mettel, sith he cast of that Ladie loved right
 dearly (as hath bin saide) without farther matter. And
 doubtles in this case he beleivinge the matter would have

throwen of this Lady also, the marriage not yet consum-
 mate, and he havinge in his owne realme and abrode beu-
 tise enow to content him and meanes enow also to push on
 some other. But it is devised the Kinge beleived it not.
 Not beleivinge it thinke we the Knight could have esca-
 ped punishment of a slannderer, though he might by con-
 fessinge avoide the punishment of a malefactor (as they
 say) after? This no outrageous mad man would beleive.
 If the Kinge would or could have past it over, the Lady
 in honour could not, nor might. But suppose also that
 supposall beyond al suppose. Though they punisht it
 not, would they, trow ye, have put him in credit and
 advancement after? would they have had him even
 the verie day of her Coronation? Would they have im-
 ploied him jmbassador in that matter of the marriage?
 Ya, I say more, would the Kinge also have rewarded him
 with a good porsion of lands sone upon this? But al thes
 were so as we have aleaged them. The cronicles have
 his servise on that day of coronation. His jmbassiges
 were wise aboute this matter knowen right wel. I have
 seene the patents of the grant myself. And thes things, ^{32 Hen.}
 the last especialy, I the rather aleage for that the Knight ^{viii.}
 useth them himself as testimonise of the King's good ^{A. D. 1540.}
 opinion of him in his defence afore mencioned, which also
 by the Kinge and his counsel in those times was liked
 and alowed of as his iust purgasion by which they acquit-
 ted him. Finaly that his defence *then* may and is to be
 esteemed his defence *now* also in this case not to be con-
 temned, and may thus be considered. This reporteth
 that he was wise winnowed. The matters were the same
 both times, the accusations so frivolous, the inducements
 and proofes so idle, that they prove nothinge more then
 that ther lacked no wils in his adversarise to doo him hurt,
 then that they had any lest colour of matter to worke it.
 Nothinge so impertinent, nothinge so unlikely that they
 aleage not. Ye and his most trusty and best servise they
 had the chiefe matters of their accusation, nothinge was

COLL. &c.
XXXVI.

so fonn'd that they ripped not up to his discredit at the lest, if it might have bin. Yet in al this was no word or signification of any such matter. Though it had not bin brought as the ground of his accusation, would it not have bin drawn fourth to agreave or induce the matter? Undoubtedly it would, either in the Queene's life in his first troble, and it would have doon wel to revenge if he had doon her this wronge, or after to her overthrowe, or els in his second troble against him. But no one word is or was in it touchinge any such matters.

A. D.
1532-3.

After so many cros billets of conninge politics surmounted by the guidinge providence of God, after so many trials of her truith past through by her wise and virtuous governance, the Kinge havinge everie way made so through prooffe how deepe roote honour had taken in her bosome, and havinge found it not to be shaken even by him, this roial and famous prince Henrie the viii resolvinge her matchles perfections meete alone to be joined with his, now at the length concluded forthwith to knit up this marriage, although for certin causes the same was thought more convenient to be performed somewhat privately and secretly. On the xxvth of January therfore the ceremonie was consummate.——The Kinge alsoe shortly after havinge himself more ascertined, and by more inward trial more assured of her spousal truith would yet farther testifie that his opinion of her, by givinge her that highest honoure he could give her virtuse in havinge her solemnly and roialy crowned.——And thus we see they lived and loved, tokens of increasinge love perpetually increasinge between them. Her mind brought him fourth the ritch treasures of love of pietie, love of truith, love of learninge. Her body yealded him the frutes of marriage, inestimable pledgis of her faith and loial love. And touchinge the former of these it is here first not to be forgotten that of her time (that is duringe the three years that she was Queene) it is found by good observation, that no one suffered for religion, which is the more woorthy to be

noted, for that it could not so be saide of any time of the Queenes after married to the Kinge. And amongst other proofes of her love to religion to be found in others, this here of me is to be added. That shortly after her marriage divers learned and christianly disposed persons resortinge to her presented her with sondrie bookes of thos controversise that then begoone to be questioned touchinge religion, and specially of the authoritie of the Pope and his Clergie and of their doings against Kings and States. And amongst other ther happened* one of thes, which, as her manner was, she havinge read she had also noted with her naile, as of matter woorthy the King's knowlege. The booke liinge in her window, her maide (of whome hath bin spoken) tooke it up, and as she was readinge it came to speake with her one then a suiter to her that after married her, and as they talked he tooke the booke of her, and she withal, caled to attend on the Queene, forgot it in his hands, and she not retorninge in some longe space he walked fourth with it in his hand, thinkinge it had bin hers. Ther incountered him soone after a Gentleman of the Cardinal's of his acquaintance, and after salutations perceivinge the booke requested to see it, and findinge what it was, partly by the title, partly by some what he red in it, he borrowed it, and shewed it to the Cardinal. Hereupon the suiter was sent for to the Cardinal and examined of the booke, and how he came by it, and had like to have comme in troble about it, but that it beinge found to have pertained to one of the Queenes chamber, the Cardinal thought better to defer the matter til he had broken it to the Kinge first, in which meane time the suiter delivered the Lady what had falen out, and she also to the Queene, who for her wisdome knowinge more what might grow therupon without delay went and imparted the matter to the Kinge, and shewed him of the points that she had noted with her finger. And she was but newly come from the Kinge but the Cardinal came in with the booke in his

COLL. &c.
XXXVI.

See
Strype's
Memorials
Eccles. &c.
Vol. I.
p. 112.
Mr. Geo.
Zouch.

* Tindal's Obedience of a Christian Man.

COLL. &c. hands to make complaint of certin points in it that he
XXXVI. knew the Kinge would not like of, and withal to take
 occasion with him against those that countenanced such
 books in general, and specially women, and as might be
 thought with mind to goo farther against the Queene
 more directly if he had perceived the Kinge agreable to
 his meaninge. But the Kinge that somewhat afore dis-
 tasted the Cardinal, as we have shewed, findinge the notes
 the Queene had made, al torned the more to hasten his
 ruin which was also furthered on al sides.————

On the other part, of her body she bare him a daughter
 on the *viith of Sept. to the greate joy then of al his
 people, both for that the Kinge had now issue legitimate
 of his owne body, and for the hope of more after. The
 Kinge also he expressed his joy for that fruite spronge of
 himself, and his yet more confirmed love towards her,
 caused her child openly and publikly to be proclaimed
 princes ELIZABETH at the solemnitie of her batizinge,
 preferringe his younger daughter legitimate afore the elder
 in unlawful wedlocke. And after this againe at the pro-

A. D. 1534. rogation of the parliament the 30th of March he had eve-
 rie Lord, Knight, and Burges sworne to an Act of Succes-
 sion, and their names subscribed to a Schedule fixed to
 the same Statute, wher it was enacted, that his dafter
 Princes ELIZABETH, he havinge none other heire
 male, shuld succede him to the Crowne. And after were
 Commitioners sent to al part of the Realme to take the
 like oth of al men and women in the Land. Neither also
 were her virtuse only inclosed in her owne brest or shut up
 in her owne person. She had procured to her Chaplins,
 men of great learninge and of no les honest conversinge,
 whom she with hers heard much, and privately she heard
 them willingly and gladly to admonish her, and them her-
 self exhorted and incoraged so to do. Also at the first

Shaxton
 and Lati-
 mer.

* So it is in the Calendars præfixed to the Book of Common Prayer in
 Q. Elisabeth's reign. Lord Herbert says it was the Sixth, Sanders the
 Eighth, and Archbp. Cranmer the 13th or 14th.

she had in Court drawen about her to be attendinge on COLL. &c.
 her* Ladise of greate honour, and yet of greater choice XXXVI.
 for reputation of virtue, undoubted witneses of her spousal
 integritie, whome she trained upon with al commendations
 of wel ordered government, though yet above al by her
 owen example she shined above them al, as a torch that al
 might take light of beinge it self stil more bright. Thos
 that have seene at Hampton-Court the ritch and exquisit
 woorkes by her self for the greater part wrought by her
 owne hand and needle, and also of her Ladise, esteeme
 them the most pretious furniture that are to be accounted
 amongst the most sumptuous that any prince may be pos-
 sest of. And yet far more ritch and pretious were thos
 woorkes in the sight of God which she caused her maides
 and thos about her daily to woork in shirtes and smockes
 for the poore. But not stainge here her eie of charitie,
 her hand of bountie passed through the whole land, each
 place felt that heavenly flame burninge in her, al times
 wil remember it, no place leavings for yaine flames, no
 times for idle thoughts. Her ordinarie amounted to xv
 hundreth pounds, at the lest yearly to be bestowed on the
 poore. Her provisions of stocke for the poore in sondrie
 needie parishes were very greate. Out of her privie purs
 went not a littel to like purposes. To scollers in exhibition
 verie much: so as in three quarters of a yeare her almes
 was summed to 14 or 15 thousand pounds.——She
 waxinge greate againe and not so fit for dalliance, the
 time was taken to steale the Kinge's affection from her
 when most of al she was to have bin cherished. And he
 onse shewinge to bend from her, many that lest ought
 shranke from her also, and some lent on the other side,
 such are the flexible naturs of thos in Courts of Princes
 for the most part.——Unkindnes grew, and she was
 brought a bed afore her time with much peril of her life,

* To every one of these she gave a little book of devotions neatly writ-
 ten on vellom, and bound in covers of solid gold enamelled, with a ring to
 each cover to hang it at their girdles for their constant use and meditation.

COLL. &c. and of a male child dead borne, to her greater and most
 XXXVI. extreme griefe.——Beinge thus a woman ful of sor-
 rowe it was reported that the Kinge came to her, and
 bewailinge and complaininge unto her the los of his boy,
 some words were heard breake out of the inward feelinge
 of her hart's dolours lainge the falt upon unkindnes, which
 the Kinge more then was cause (her case at this time con-
 sidered) tooke more hardly then otherwise he would, if
 he had not bin somewhat to much overcome with greife,
 or not so much alienat. Wise men in those daise judged
 that her virtue was here her defalt, and that if her to
 much love could, as wel as the other Queene, have borne
 with his defect of love, she might have falen into les
 danger, and in the end have tied him the more ever
 after to her when he had seene his errour, and *that* she
 might the rather have doon respectinge the general liber-
 tie and custome of falinge then that way.——Certinly
 from hensfourth the harme stil more increased and he was
 then heard to say to her, he would have no more boise by
her.——Havinge thus so many, so greate factions at
 home and abrode set loose by the distorned favour of the
 Kinge, and so few to shew themselves for her, what could
 be? what was other like but that al thes gustes lightinge
 on her at onst shuld prevaile to overthrow her, and with
 her thos that stood under her fale? She and her frends
 therefore were suddenly sent to the tower: and this gra-
 cious Queene comminge unto the entry of the gate, she
 falinge downe upon her kneese made that place a reverend
 temple to offer up her devout praiers, and as a bale ther
 her soule beaten downe with afflictions to the Earth with
 her faithful praiers bounded up to heaven. 'O Lord,
 saide she, healp me as I am guiltles of this whereof I am
 accused.'——The time aproched for the hearinge of
 her cause. The place of her trial in the tower may some-
 what discover how the matter was like to be handeled.
 Nor ther was it apointed the better to conseale the hei-
 nousnes of the accusation though that might be the pre-

tence. For that was published in Parliament, that it COLL &c.
might from thens spread abroad over al. Her very accu- XXXVI.
sations speake and even pleade for her; al of them, so far
as I can find, carring in themselves open prooffe to al
mens consciencise of meere matter of quarel, and indeede
of a verie preparation to some hoped alteration. The
most and chiefe of them shewing to have comme from
Rome that popish forge of coninge and trecherie as
Petrarke long sinte tearmed it.

Nido di tradimenti in cui si cuoua
Quanto mal per lo mondo hoggi si spande.

*Nest of treasons in which is hatcht and bred
What il this day the world doth overspred.*

For that most odious of them, some thinge is to be
esteemed by the aparant wrongs of the other euel hande-
linge of matters. But for this thinge itself, partly it is
incredible, partly by the circumstancise impossible. In-
credible, that she that had it her word, as it were the
spirit of her mind, as hath bin saide, that she was Cæsar's
al not to be toucht of others shuld be held with the foule
desiere of her brother. Again, she havinge so goodly a
prince to please her, who also had shewed himself able to
content more then one, that she should yet be carried to a
thinge so much abhorringe even womanly ears and to
nature itself, much more to so Christian a Queene. Impos-
sible, for the necessarie and no smale attendance of ladise
ever about her, whereof some, as after appeared, even
aspired unto her place and right in the King's love, ye by
manifest prevention before their time. And indeed hereof
it was her very accusers found it impossible to have colour
to charge her with any other than her brother, which also
made it no les impossible even for him alike as other.
Impossible, I say, because neither she could remove so
great ladise by office appointed to attend upon her conti-
nually from beinge witnesses to her doings neither for the
danger she saw she stood in, and the occasions daily

COLL. &c. sought, would she for her owne wisdom, and also by the
XXXVI. advertisements of her kinred and followers, whereof she had many of most greate understandinge, experience and faith about her. Besides, she could not but be made more warie and wakful if for none other cause, yet even to take away al colour from her enimise, whose eies were everie where upon her to pick matter, and their malicious harts bent to make some where they found none; as plainly enough was to be seene when they were driven to those straightes to take occasion at her brother's more private beinge with her, the more grudged at perhaps, for that it might be supposed his conference with her might be for the breakinge of of the King's new love. For the evi- dence, as I never could hear of any, so smale I believe it was. But this I say, wel was it said of a noble judge of late—that half a prooffe where nature leadeth was to be esteemed a whole prooffe. On the contrarie in this case he would have saide, whole and very absolute proofes to have bin needful in such a case against nature. And I may say, by their leaves, it seemes themselves they doubted their proofes would proove their reprooves when they durst not bringe them to the prooffe of the light in open place. For this principal matter betweene the Queene and her brother ther was brought fourth indeede witnes his wicked wife, accuser of her owne husband even to the seekinge of his blood, which I beleive is hardly to be shewed of any honest woman ever done. But of her the judgment that fel out upon her, and the just punishment by law after of her naughtines shew that what she did was more to be rid of him then of true ground against him. And that it seemeth thos noble men that went upon the Queene's life found in her trial, when it may apeare plainly by that defence of the Knight that oft hath bin here mentioned, that the young noble man the Lord Rotchford by the common opinion of men of best understandinge in thos days, was counted, and then openly spoken, condempned only upon some point of a statute of

wörds then in force. And this and sondrie other reasons **COLL. aa**
 have made me thinke often that upon some clause of the **XXXVI.**
 same law they grounded their colour also against her, and
 that for other matters she had cleared her self wel enough.
 It seameth some greate ones then had their hands in draw-
 inge in that law to intangle or bridle one another, and that
 some of them were taken in the same net, as good men
 then thought woorthely. Suerly my Lord Cromewel and
 this younge Lord were taken in thos intanglements, and
 the Knight himself, of whome is spoken, had hardly
 scapt it, as may apeere by his defence, if he had not by
 the wel deliveringe of the goodnes of his cause broken
 through it. And this may wel serve to admonish men to
 be well ware how far they admit of laws that shall touch
 life upon construction of words, or at the lest, admit-
 tinge them, how far they leave to lawyers to interpret
 of them, and especialy that therby they give not excuse
 to jurise to condemn the innocent when sway of times
 should thrust matters upon them. ——— Thus was
 she put upon her trial by men of greate honoure, it had
 bin good also, if some of them had not bin to be sus-
 pected of to much power and no les malice. The evidence
 were heard indeede but close enough, as inclosed in
 stronge wales. Yet to shew the truith cannot by any
 force be altogether kept in hold, some belike of thos hono-
 rable personagise there, more perhaps for countenance of
 others evel then for meanes by their owne authoritie to
 doo good (which also peradventure would not have bin
 without their owne certin perils) did not yet forbear to
 deliver out voices that caused everie where to be muttered
 abroad that that spotles Queene in her defence had
 cleered herself with a most wise and noble speach. Not-
 withstandinge such a trial, such a judgment found her
 guiltie and gave sentence of death upon her at home,
 whome others abroad, livinge to feele her los, found guilt-
 les. ——— The woful sentence was given burninge or
 headdinge at the King's pleasure, leaving open some

COLL. &c. smale place to pittie for the kind of death, which the
 XXXVI. King's conscience (no doubt) moved him to take in
 apointinge the more honorable death. ——— Within
 thos wales this execution was to be doon. What needed
 that? The love knowen indeede to her by the people
 was not to be feared of the Kinge, her love beinge such to
 him as to her last breath she stood to acquit and defend
 him by her words, at her death, carreinge a very true
 image of her former love and life. 'Christian people!'
 saide she, 'I am come to die, and according to law, and
 'by law I am judged to death, and therefore I wil speake
 'nothings against it. I am come hether to accuse no
 'man, nor to speake any thinge of that where of I am
 'accused and condemned to die. But I pray God save
 'the Kinge, and sende him longe to raigne over you, for
 'a genteler and more merciful prince was ther never, and
 'to me he was ever a good, a gentle, and soveraigne lord.
 'If any person wil medle of my cause I require him to
 'judge the best. And thus I take my leave of the world;
 'and of you, and I hartely desiere you al to pray for me.
 'O Lord have mercie on me. To God I commende my
 'soule.' And so she knelinge downe saide, 'To Christ I
 'commend my soule. Jesu receive my soule.' ———
 The bloudie blow came downe from his trembling hand
 that gave it, when thos about her could not but seeme to
 themselves to have received it upon their owne necks, she
 not so much as shrikinge at it: ——— God provided for
 her corps sacred burial even in place as it were consecrat
 to innocents.

*John Darly's account of Father Raby's appearing to him
and telling him that Bishop Fisher was next to the
Angels in Heaven.*

MEMORANDUM, that I John Darlay Monke of the Char-
terhous besyde London had in my tyme license to say
service with a father of our religion named Father Raby
a verey old man insomoch when he fell seke and lay
apponn hys deth bed and after the tyme he was aneled and
had recevyd all the Sacraments of the Church in the pre-
sens of all the covent and whan all they war departed I
sayde unto hym good Father Raby yff the ded may comme
to the qwyke I besuch yow to cum to me and he said yea
and mediatly he dyed the same nyght wich was in the
clensyng days last past Anno 1534 an sens that I never
ded thynke aponn hym to Saynt John day Baptist last
past.

Item, the same day at 5 of the cloke at aftirmone I beyng
in conntemplacion in our entre in our *sell sodanly he
appered unto me in a monk's habyt and said to me whyhy
do ye not folow our †Father? and I sayd qwherffar? he
sayd for he is marter in hevyn next unto angells. And I
said, wher be all our ‡ other fathers wich died as well as
he? answerd and said they be well but not so well as he.
And than I said to hym, Father how do ye? and he an-
swered and said I am well enowght but prayer both for
yow an other doith good, an so sodanly vanyushed
away.

• Cell.
† John
Haughton,
Prior of the
Charter-
House, ex-
ecuted for
denying the
King's su-
premacy,
April, 29,
1535.

Item, apou Saturday next after at 5 of the clocke in the
mornynge in the same place in our entre he appered to me
agayn with a lange whyte berd and a whyte staff in his
hand lyftyng it up wherapou I was affrayd and than

‡ June 18, 1535, were drawn to Tyburne and there hanged and quar-
tered Exmewe, Middlemore and Midigate, three Monkes of the Charter-
House.

COLL. &c. lenynge upon hys staff sayd to me, I am sory that I lyved
 XXXVII. not to I had bin a marter and I said I thinke ye be as well
 XXXVIII. as ye war a marter and he said nay for my Lord of Ro-
 chester and our father was next unto angells in hevyn and
 than I said Father what ells, and then he answered and
 sayd the angells of pease ded lamment and murne without
 mesur and so vanyushed away.

Written by me John Darly Monke of the Charter-
 hows the 27 day of June the yeare of Our Lord Good
 afforsaid.

No. XXXVIII.

*Processus Universitatis Oxoniensis super Literas Regiæ
 Majestatis Henrici VIII. de Wiclefo.*

Ex quodam SECUNDO die Augusti in magna vacatione, facta vocatione
 Registro per Bedellos per loca, et pulsata parva campana more con-
 Academis. fol. 103, b. sueto, celebrata est magna Convocatio in Choro Templi
 Arch. Bodl. A. n. 166. Virginis Mariæ, in qua receptæ sunt et lectæ litteræ a
 Domino Rege per Magistrum Edwardum Leighton Baccæ:
 Sacræ Theologiæ destinatæ quarum tenor sequitur sub
 hac forma.

By the King.

(fol. 109, a.

' Trusty and well beloved we greet you well. And for
 ' asmoche as wee at this instant time for certeine grete
 ' and weightie considerations us movinge, touchinge as
 ' well the repressinge of such errours, opinions, and here-
 ' sies as be now a days sprede abroad in sondery places,
 ' as also the consolation of Christ's Church, and good
 ' Christian people, be desirous not only to be advertised
 ' of the articles whereuppon Wicleph was condemned
 ' heretofore be that our Universite of Oxon, but also of
 ' the Confirmation of the Counsel of Constancie concerning
 ' the condemnation of the said Articles; We therefore
 ' will, that ye with all celerity do send unto Us by our
 ' trustie and well-beloved Chapleine Mr. Edward Leigh-
 ' ton this berer in writing under the seale of our said Uni-

‘versitie in as lawfull and authentique wise as ye can COLL. &c. XXXVIII.
 ‘devise, as well all and singular the said Articles of con-
 ‘demnation of the said Wicleph as also the confirmation
 ‘thereuppon of the said Counsaile of Constancie. Gevinge
 ‘unto our said Chaplaine sure credence in such things as
 ‘he shall shewe unto you on our behalf touching the pre-
 ‘mises. And in this doing you shall minister unto Us
 ‘full acceptable pleasure: Given under our signet at
 ‘our Castle of Windesor the last day of July.’

Insuper in eadem Convocatione sunt deputati quidam venerabiles viri ad faciendum scrutinium [de] continentibus et concernentibus in dictis literis. viz. Dominus Marinus Wynsey tunc vice commissarius et dominus Leonardus Hutchyns Doctores Sacre Theologie, Dominus Johannes London et Dominus ——— Morgan Legum Doctores.

Sexto autem die ejusdem mensis, facto prius, diebus interlapis scrutinio diligenti per præfatos doctores, compilatum est instrumentum quoddam de dicta materia dictis literis Domini Regis responsivum, et in *dicta Convoca-^{* prædicta.} tione presentatum, sigillatum cum *signo universitatis cui * ^{command} sunt annexæ schedulæ quædam continentes articulos Wy-^{sigillo.} clephi heretici cujus et quorum omnium et singulorum forma sequitur.

Nono etiam die ejusdem [mensis] continuata congrega-^{* Sic. MS.} tione magna* siq; ad illum diem, sigillatum est aliud exem-^{for pro si-}plar dicti instrumenti, literæque quædam ad Regiam Ma-^{quidem vel} jestatem missæ, itaque est dissoluta Convocatio.^{viz.}

Universis matris ecclesie filiis presentes literas inspec-
 turis, lecturis, seu audituris, Commissarius Universitatis
 Oxoniensis, universusque magistrorum regentium et non
 regentium cetus, ad infra scripta in domo Convocationis
 dicte Uninersitatis communiter congregati, Salutem in
 domino et Fidem indubiam presentibus adhibere. Cum
 Sancta Mater Ecclesia Christi Servatoris nostri preciosis-
 simo sanguine fundata, sanctissimorumque patrum confesi-
 one erecta, ab initio per omnia florere cepisset, atque Chris-
 tiana religio explosa demonum machinamenti in immensum

- COLL. &c. XXXVIII. propagaretur in illa prima nascentis ecclesie tempestate non defuerant bellue feroces que totis viribus Christiane religionis athletas perfidie armis subvertere et penitus delere conati sunt; sed frustra laborarunt; sapientia enim vicit molestiam, Christus mundum, et vanitatis umbras sincera veritas. Antiquus tamen humani generis hostis qui tanquam leo rugiens piis insidiatur animis querens semper quos seducat et devoret, quod per se non poterat, hoc per falsos superinductos fratres moliebatur; novos procreavit
- tumidos. homines ambitionis spiritu *plenos in vanitatis sensus ambulantes divine scripture verba, et non sensum quem Deus solum revelare dignatur parvulis secundum carnem arripientes, quasi ex favo mellis fel amarissimum *exugere moliti sunt, juxta illud *proverbiorum* 18°. *Non recipit stultus verba prudentie nisi dixeris ea que versantur in corde ejus. Sed absorpti sunt* *inimici petrae sapientes in oculis suis qui veritatis et lucis dum nollent esse discipuli, facti sunt filii mendacii et angeli tenebrarum: Ex quorum numero fuere Ebion, Cherintus, Sabellius, Arius et Julianus apostata. Posteaquam *vera illa monstra, eorumque hereses spurcissime ab ecclesia Dei penitus fuissent eliminate, novus atque ditis ortus est apostolus tam impudens quam temerarius Johannes Wiclefius artium liberalium professor, acris ingenij et lepide eloquentie homo. Hic celum terre commiscens florentissima Anglie et Bohemie regna novis heresibus et nefandissimis erroribus infecit, atque in tempora illa devenit quibus, ut ait apostolus, sanam doctrinam non sustinentes, *eligerunt sibi magistrum prurientem auribus, et a veritate quidem auditum avertentem. Sed dum ille inimicus homo Johannes Wiclefus, satore malorum operum procurante, superseminavit zizania in medio tritici et boni seminis fidei quidem catholice incrementum impedire conabatur, Deo optimo maximo id ad nostram utilitatem permittente juxta dictum apostoli, *Oportet* *vero ut qui probati sunt manifesti fiant, sicut Deum non dilexit in vita, ita nec in morte malorum operum ipsum penituit: perijt enim ille impius in iniquitatibus suis, et in
 - Sic MS. pro exu-gere.
 - Sic MS.
 - for vero.
 - pro elegerunt.
 - esse heretici.

via qua ambulavit defecit. Non tamen permisit miser-
 cors Deus zizania bonum semen suffocare, sed animos ^{COLL. &c.}
 doctissimorum virorum Oxoniensis nostre academie ad ^{XXXVIII.}
 extirpandas et supprimendas tantas hereses divinitus inspi-
 ravit. Viri itaque doctissimi Oxoniensis Universitatis
 precessores nostri statim post Johannis Wiclefi lachryma-
 bilem mortem, opuscula omnia per eum edita summa cum
 diligentia recognoverunt, atque ex illis complures articulos
 excerpserunt quorum aliquos hereticos et erroneos, alios
 seditiosos, quosdam temerarios piarum aurium offensivos,
 alios scandalosos contra bonos mores, charitatem christia-
 nam, et catholicam veritatem iniquissime per eum adinven-
 tos in Convocatione plenaria magistrorum regentium et
 non-regentium in Festo Sanctorum Johannis et Pauli anno
 Domini 1410. Oxonie celebrata, in sensibus quibus fiunt
 et ad mentem ipsius Johannis Wiclevi reprobarunt et
 condemnarunt prout ex his que scribuntur in *librorum* ^{for libro.}
 statutorum dicte universitatis *officiari publici remanere* ^{Sic MS.}
 solito latius videre licet. Bibliothecis hanc insuper Johan-
 nis Wiclevi super articulis predictis per nostros precessores
 condemnationem factam postea per Constantiense conci-
 lium diligenti inspectione quorundam antiquorum librorum
 exemplarium actorum dicti consilii tam in publica Univer-
 sitatis nostre Bibliotheca quam in diversis collegiis ejus-
 dem repertorum *ac approbatum fuisse comperimus ac* ^{q.}
 dictorum Articulorum 45 in Specie ceterosque omnes et
 singulos in genere realiter per idem consilium fuisse con-
 demnatos. Verum *quin nostris jam temporibus nonnulli* ^{for quia.}
a fide discedunt attendentes spiritibus erroris et doctrinis
demoniorum in hypocrisi loquentiam mendacium et caute-
rizatam habentium suam conscientiam, novique rivuli ex
vetere cisterna Wiclevi olim *conclusa, impudentissimi* ^{occlusa.}
 Martini Lutheri malitia iterum disco operta indies damnari
 incipiunt; ne sententie et pestifere opiniones ille que a
 majoribus nostris tam intra Universitatem nostram Oxonie
 in magnis Convocationibus cum summa diliberatione, judi-
 cio doctissimorum virorum sunt et ibidem presentium,

COLL. &c. XXXVIII. quam generalis consilii Constantiensis autoritate heretice, erronee, perverse, piarum aurium offensive, scandalose, impure, et catholice veritati contrarie iudicate sunt; reprobate et condemnate, nostris reviviscant molestantque temporibus, et quia pium ducimus predictorum articulorum examinationes et condemnationes sic ut premittitur factas hoc potissimum tempore quo Lutherana latius serpit malitia ab ipso parente Wyclefo deprompta in publicam producere cognitionem ne per ignorantiam fortassis aliquos labi contingat, quos sic admonitos a lapsu revocare potuissemus, curavimus per nostre Universitatis subscriptos, tam exdicto libro statutorum Universitatis nostre Oxonie, quam ex vetustis actorum consilii Constantiensis exemplaribus adinvicem per notarios et testes infra scriptos dicti Johannis Wiclefi in decem scedulas presentibus annexas conscriptos, maxime his temporibus reviviscentes, ac formam condemnationum eorundem transcribendas et *exemplandas fore, atque ad effectum supra-scriptum publicari, et presentibus annecti, signis *q; et subscriptionibus dictorum notariorum subscribi et consignari nec non *sigillo communi nostre Universitatis appensione muniri in fidem et testimonium omnium et singulorum premissorum.

* exemplificandas.

* Sic MS. pro signisque.

Sic MS. pro sigilli communis.

Forma Actorum in libro aliterius procuratoris officiarj publici Universitatis Oxonij et custodis dicti libri reperta super condemnatione certorum articulorum quos Johannes Wyclefe hereticus scripsit et sustinuit.

Ex libro procuratoris.

Hic sequuntur 45 Articuli Wicleff qui fuerunt damnati Londoniis in Anglia Anno Domini 1411, a tresdecim Episcopis et Archiep. Cant. et a 30 Doctoribus in Theologia; ex quibus quidam sunt scandalosi, alii sunt erronei, reliqui sunt heretica pravitate infecti.

1. *Primus Articulus.* Substantia panis materialis manet et vini similiter in sacramento altaris.

2. *Accidentia panis non manent sine subjecto post consecrationem in eodem sacramento.*

3. Quod Christus non est in eodem sacramento *identice et realiter in propria presentia corporali. COLL. &c.
XXXVIII.

4. Quod si episcopus vel sacerdos existat in peccato mortali, non ordinat, non conficit, nec consecrat, nec baptizat. * identice.

5. Est pertinaciter asserere quod non est fundatum in evangelio.

6. Quod Christus missam ordinaverit heresis est.

7. Quod Deus debet obedire diabolo.

8. Quod si homo fuerit debite contritus, omnis confessio exterior est sibi superflua et inutilis.

9. Quod si papa sit prescitus et malus et per consequens membrum diaboli, non habet potestatem super fideles ab aliquo sibi datam nisi fortè a Cesare.

10. Quod post Urbanum Sextum non est alius recipiendus in papam, sed vivendum est more Grecorum sub propriis legibus.

11. Contra sacram scripturam est quod viri ecclesiastici habeant possessiones temporales: et vocat sacram scripturam dicta apostolorum.

12. Nullus prelatus debet aliquem excommunicare, nisi prius sciat ipsum excommunicatum a Domino: Qui sic excommunicat est Hereticus ex hoc, vel excommunicatus.

13. Quod prelatus excommunicans clericum qui appellavit ad Regem et ad Consilium Regni eo ipso traditor est Regis et Regni.

14. Quod illi qui dimittunt predicare, sive verbum Dei audire propter excommunicationem hominum sunt excommunicati et in die iudicii traditores Christi habebuntur.

15. Quod licet alicui diacono vel presbytero predicare verbum Dei absque auctoritate sedis apostolice, sive episcopi catholici.

16. Quod nullus est Dominus civilis, nullus est prelatus, nullus est episcopus dum est in mortali peccato.

17. Quod Domini temporales possunt ad arbitrium suum auferre bona temporalia ab ecclesia habitualiter

COLL. &c. delinquente, et quod populares possunt ad eorum arbitrium dominos delinquentes corrigere.
XXXVIII.

18. Quod decime sunt pure elemosyne et parochiani possunt propter peccata suorum prelatorum ad libitum suum conferre.

19. Quod speciales orationes applicate uni persone per prelatos vel religiosos, non plus prosunt eidem quam generales, ceteris paribus.

20. Quod conferens fratribus elemosynam est excommunicatus eo ipso.

21. Quod si aliquis ingreditur religionem privatam qualemcumque tam possessionatorum quam mendicantium
• redditur. • redditur ineptior et inhabilior ad observantiam mandatorum Dei.

22. Quod sancti instituentes religionem privatam, sic instituendo peccaverunt.

23. Quod religiosi viventes in religionibus privatis non sunt de religione Cristiana.

24. Fratres tenentur per laborem manuum victum acquirere non per mendicitatem, Iste articulus est condemnatus ab Alexandro 4^o.

Sequitur alia pars articulorum in alio pergamento inscriptorum.

25. *Primo*, Dicit omnes esse simoniacos qui se obligant orare pro aliis eis in temporalibus subvenientibus.

26. *Item*, Oratio presciti nulli valet.

27. *Item*, Omnia de necessitate eveniunt.

28. *Item*, Confirmatio juvenum, clericorum ordinatio, locorum consecratio reservatur pape et episcopis propter cupiditatem lucri temporalis et honoris.

29. Quod Universitates, studia et collegia, graduationes
sic MS. magisterij in eisdem sunt vana gentilitate introducta et tantum prosunt esse sicut diabolus [Ecclesie].

30. *Item*, dicit excommunicationem pape vel cujuscunque prelati non esse curandam quia est censura Antichristi.

31. *Item*, peccant fundantes claustra, et ingredientes COLL. &c. XXXVIII.
sunt viri diabolici.

32. *Item*, Silvester Papa et Constantinus Imperator erraverunt ecclesiam dotando. Hic introducit Reges et principes seculares, ut bona *eorum sibi incorporent et spolient eos et totam turbam Laicorum incitat contra eos. Sic. MS. for clericorum.

33. *Item*, dicit omnes de ordine mendicantium esse hereticos, et dantes eis elemosynam esse excommunicatos.

34. *Item*, ditare clerum est contra regulam Christi.

35. *Item*, quod ingredientes ordinem aut aliquam religionem eo ipso inhabilis est ad servandum divina precepta, et per consequens non perveniendum est ad regnum celorum, nisi* apostaverit ab eisdem. Sic suadet apostasim, et multa erronea et enormia invenies in suo *Dialogo* et in *Trialogo*, et in aliis libris suis prout patet in articulis damnatis repertis in libris suis. * apostata-verit.

36. *Item*, Papa cum omnibus clericis suis possessionem habentibus est hereticus eo quod possessiones habet, et omnes eis consentientes scilicet domini seculares et laici ceteri, et propter hoc papa neminem potest judicare de heresi eo quod sit hereticus.

37. *Item*, Quod Ecclesia Romana est sinagoga satane, nec papa est immediatus et proximus Vicarius Christi et Apostolorum.

38. *Item*, Decretales Epistolæ sunt apocryphe et seducunt a fide Christi, et clerici sunt stulti quod eas student.

39. *Item*, Quod Imperator et Domini seculares seducti a diabolo sunt ut ecclesiam dotarent de bonis temporalibus.

40. *Item*, Electio pape a cardinalibus per diabolum introducta est. Hic suadet a papa et cardinalibus recedere, et se simpliciter Deo committere.

41. *Item*, Non est de necessitate salutis Romanam ecclesiam esse supremam inter ecclesias.

42. *Item*, Fatuum est credere indulgentiis pape et episcoporum.

COLL. &c. 43. *Item*, Juramenta illicita sunt que fiunt ad roboran-
 XXXVIII. dum ritus humanos et commercia civilia.

44. *Item*, Augustinus, Benedictus, et Bernardus dam-
 nati sunt nisi penituerint de hoc quod habuerunt posses-
 siones et instituerunt et intraverunt religiones, et sic a
 papa ad *intimum religiosum sunt omnes heretici.

Sic MS. for infimum. 45. *Item*, dicit omnes religiones indifferenter introductas
 a diabolo.

*Qui articuli ibi subscripti sunt ea prope forma qua
 habentur in citato libro procuratoris junioris : Et acqui-
 tur ibi censura consilij Constantiensis, sub his verbis.*

Forma sententie Constantiensis consilij condemnatoria
 45 Articulorum superius scriptorum in specie, ut patet per
 antiqua exemplaria predicta. Qui 45 Articuli condemnati
 sunt et Londiniis ut supradictum est, quorum primus inci-
 pit *Substantia panis*, postremus *Omnes religiones*.

Sacrosancta Constantina synodus generale consilium
 faciens et ecclesiam catholicam representans ad extirpa-
 tionem presentis scismatis eorumque et heresium sub ejus
 umbra pullulantium eliminationem et reformationem eccle-
 sie in spiritu sancto congregata legitime, ad perpetuam
 rei memoriam. Fidem catholicam, sine qua, ut ait apos-
 tolus, impossibile est placere Deo, a falsis ejusdem fidei
 cultoribus, immo perversis impugnatoribus, et per super-
 bam curiositatem nitentibus plus sapere quam oportet,
 mundi gloriam cupientibus, obpugnata,* sepius et contra
 illos per fideles ecclesie milites spirituales opposito scuto
 fidei* defensat. Fuisse sanctorum patrum scripturis at-
 que gestis instruimur. Hec quippe bellorum genera in
 bellis carnalibus Israelitici populi adversus gentes Idola-
 tras* prefigurata fuerunt; itaque in spiritualibus bellis
 sancta ecclesia catholica in fidei veritate superni luminis
 radijs illustrata Domino providente, et sanctorum patro-
 cinio opem ferente semper immaculata permanens, eorum
 tenebris velut hostibus profligatis, gloriosissime triumphavit.
 Nostris vero temporibus vetus ille et invidus hostis

* obpugna-
 tam.

* Sic. MS.

* Idolola-
 tras.

nova certamina, ut probati temporis hujus manifesti fiant, COLL. &c. suscitavit quorum dux et *primiserius extitit quidam Jo-
hannes Wicleff pseudochristianus qui dum viveret adver-
 sus religionem christianam et fidem catholicam pertina-
 citer asseruit et dogmatizavit plures articulos quorum 45
 huic pagine duximus inserendos qui sequuntur. Idemque
 Johannes Wicleff libros Dialogum et Trialogum per ip-
 sum nominanter et plures alios tractatus, volumina, et
 opuscula composuit, in quibus prescriptos et plures alios
 damnabiles inseruit, et dogmatizavit articulos, quos libros
 ad sui perversi dogmatis publicationem publice legendos
 exposuit, ex quibus insuper multa scandala, damna, ani-
 marumque pericula in diversis regionibus presertim An-
 glie et Boemie Regnis secuta sunt. Adversus quos Arti-
 culos atque libros in Dei veritate exurgentes Magistri et
 Doctores Universitatis et studiorum Oxoniensium et Pra-
 gensium Articulos predictos scolastice diu post reprobarunt
 reverendissimi etiam patres Archiepiscopi pro tempore
 Cantuariensis et Eboracensis sedis Apostolice legati in
 Anglia et Prage in Bohemie regnis; condemnarunt libros
 etiam ejusdem Wicleffe comburendos fore Dominus Ar-
 chiepiscopus Pragensis sedis apostolice commissarius in
 hac parte sententialiter judicavit, et eorum qui superessent
 prohibuit lectionem. Rursus, his ad notitiam sedis Apo-
 stolice et Generalis Consilij deductis, Romanus Pontifex in
 Consilio Romano ultimo celebrato dictos libros, tractatus,
 et opuscula et opera condemnavit; jubens illos publice
 concremari, districtius inhibendo ne quis Christi nomine in-
 signitus auderet aliquem, vel aliquos seu aliqua ex dictis
 libris, voluminibus, tractatibus et opusculis legere, ex-
 ponere, et docere, vel tenere, aut illis quomodolibet uti,
 vel illos nisi in ipsorum reprobationem allegare publice
 vel occulte, et ut de medio ecclesie ille periculose, spur-
 cissimeque doctrine eliminarentur jussit omnino per literas
 locorum ordinarios, libros, tractatus, volumina, et opus-
 cula hujusmodi autoritate apostolica per ecclesiasticam
 censuram etiam si opus esset, cum adjectione quod contra
 non parentes procederent tanquam contra fautores heresis,

• primice-
rius.

COLL. &c.
XXXVIII.

Sic MS.
quod, for
delendum.

* censean-
tur.

diligenter inquiri, et repertos et reperta ignibus publice concremari. Hec autem sancta synodus prefatos articulos 45 examinari fecit, et sepius recenseri per plures reverendissimos patres ecclesie Romane cardinales, episcopos, abbates, magistros in theologia, doctores juris utriusque et plures notabiles in multitudo copiosa. Quibus Articulis examinatis, fuit repertum (prout in multitudo copiosa quibus articulis veritate —) aliquos et plures ex ipsis fuisse et esse notorie hereticos, et a sanctis patribus dudum reprobatos, alios non catholicos sed erroneos, alios scandalosos et blasfemos, quosdam piarum aurium offensivos, nonnullos eorum temerarios et seditiosos: Compertum est etiam libros ejus plures alios articulos continere similibus qualitatibus, doctrinamque in Dei calumniam vesanam, et fidei ac moribus inimicam inducere. Propterea in nomine Domini Jesu Christi hec sancta synodus sententias predictorum archiepiscoporum et concilij Romani, ratificans et approbans articulos predictos et eorum quomodolibet libros ejusdem dialogum et trialogum per eundem Wicleff nominatos, et alios ejusdem auctoris libros, volumina, tractatus, et opuscula quocunque nomine *sentiantur, quos haberi vult pro sufficienti expressos, hoc perpetuo decreto reprobatur et condemnat et eorundem librorum et cujuslibet ipsorum lectionem, doctrinam, expositionem, et allegationem nisi ad eorum reprobationem, omnibus Christi fidelibus prohibendo inhibuit omnibus et singulis catholicis, sub intimatione anathematis, ne de cetero dictos articulos aut ipsorum aliquem audeat publice predicare, dogmatizare vel tenere sive libros ipsos docendo approbare, tenere, vel quomodolibet allegare nisi ad eorum reprobationem (ut dictum est) jubens illos libros et tractatus, volumina et opuscula prelibata publice concremari, prout decretum fuerat in synodo Romana, sicut superius est expressum; super quibus exequendis et debite conservandis mandat per dicta sancta synodus ordinariis locorum vigilanter intendere prout ad quemlibet pertinet secundum jura et canonicas sanctiones.

*Sequitur adhuc alia pars sententie qua confirmatur COLL. &c. XXXVIII.
generaliter condemnatio Articulorum Wicliff Oxonie
facta.*

Quia vero libris predictis diligenter examinatis per doctores et magistros universitatis studij Oxoniensis ultra dictos 40, 5que Articulos recitados sexaginta excerptando 45. collegerunt, quorum aliqui cum supra dictis in sententiam coincidunt, licet non in eadem forma verborum, et sicut de alijs dictum superius exstitit, quidam ipsorum erant et sunt heretici, quidam seditiosi, quidam erronei, alij temerarij, nonnulli scandalosi, alij insani, nec non omnes pene contra bonos mores et catholicam veritatem fuerunt, et propterea *scholastici per dictam universitatem debite reprobati. *scholasticè.
Hec igitur synodus sacrosancta cum deliberatione *quam
supra, predictos articulos et eorum singulos reprobat et condemnat, prohibens, jubens, mandans et decernens prout de alijs 45 superius est expressum. *quâ.

Sequitur adhuc alia pars sententie.

Insuper quia authentica sententia et decreto Romani consilii, mandatoque ecclesie et sedis apostolice, datis dilationibus debitis processum fuit super condemnationem dicti Wicleffe et sue memorie, edictis propositis, denunciationibusque ad vocandum eos qui eundem sive ejus memoriam defendere vellent, si qui penitus extiterent, nullus vero comparuit qui eundem vel suam memoriam defensaret. Examinatis demum testibus super impenitentia finali, pervicaciaque dicti Wicleff per commissarios deputatos per dominum Johannem ——— modernum, et hoc sacrum consilium, servatisque servandis prout in tali negotio postulat juris ordo de ejus impenitentia ac finali pertinacia per evidentia signa testibus legitimis comprobata, fuit legitime facta fides. Propterea instante procuratore fiscali, edictoque proposito ad audiendam sententiam ad hanc diem, sancta synodus declarat, definit et sententiat eundem Johannem Wicleff fuisse notorium hereticum per

COLL. &c. XXXVIII. tinacem, et in heresi defecisse, anathematizando ipsum pariter et suam memoriam condemnando, decrevitque et ordinat corpus ejus et ossa, si ab alijs fidelibus corporibus discerni possint, exhumari et procul ab ecclesiastica sepultura jactari secundum canonicas et legitimas sanctiones.

Postea sequitur in dictis antiquis exemplaribus Actorum dicti Consilij Constantiensis in 10^a sessione ejusdem Articulorum dicti Wicleffe scriptorum sententia condemnatoria.

De mandato et voluntate ipsius synodi Constantiensis, venerabilis vir Bartoldus de Wyldungen predictus incepit legere articulos formatos, dogmatizatos per dictum Johannem Wicleffe in hunc modum, quorum aliquos legit, et residuos synodus habuit pro lectis.

1. Sicut Christus est simul Deus et homo, sic hostia consecrata est simul corpus Christi et verus panis, quia est corpus Christi, ad minimum in figura et verus panis in natura, vel quod idem sonat est verus panis naturaliter et corpus Christi figuraliter.

2. Cum mendacium hereticum de hostia consecrata inter hereses singulas teneat principatum, ut ipsa ab ecclesia extirpetur secure denuncio modernis hereticis quod non possunt declarare, nec intelligere accidens sine subjecto, et ideo omnes iste secte heretice in capitulo ignorantium sunt. Joh: 4: *Nos adoramus quod scimus.*

3. Audacter prognostico omnibus istis sectis et suis complicitibus quod non defendant fidelibus quod sacramentum* erit accidens sine subjecto antequam Christus et tota triumphans ecclesia venerit in finali judicio equitans super flatum angeli Gabrielis.

4. Sicut Johannes fuit figuraliter Helias et non personaliter, sic panis in altare figuraliter est corpus Christi et absque omni ambiguitate hec est figurativa locutio, *hoc est corpus meum* sicut ista, Johannes est Helias.

5. Fructus istius dementie qua fingit accidens sine

* Sic MS.

subjecto foret blasphemare in *Deo scandalizare sanctos, COLL. &r. XXXVIII.
et illudere ecclesie per verba accidentis.

6. Diffinientes parvulos fidelium sine sacramentali baptismo decedentes non fore salvandos, sunt in hoc stolidi et presumptuosi. * Sic MS. pro Deum.

7. Levis et brevis confirmatio episcoporum cum adjectis ritibus tantum solemnizatus, est ex inventione diaboli introductus ut populus in fide ecclesie illudatur, *ut episcoporum solemnitas aut necessitas plus credatur. *Sic MS. pro et.

8. Quantum ad oleum quo episcopi unguunt pueros, et peplum *benedictum quod complexum est capiti, videtur *lineum. quod sit ritus infundabilis ex scriptura, et quod ista confirmatio introducta super apostolos blasfemat in Deum.

9. Confessio vocalis facta sacerdoti introducta per ignorantiam non est tam necessaria homini ut definivit. Quia si quis *solum cogitatu, verbo, vel opere sufficit penitere. * Sic MS. * offendere

10. Grave est et infundabile probrum audire confessionem populi modo quo Latini utuntur. fratrem suum solo cogitatu vel opere.

11. In his verbis *vos mundi estis, sed non omnes* posuit diabolus pedicam infidelem qua pedem caperet Christiani. Introduxit enim confessionem privatam et infundabilem et postquam illa confessori nota fuit ut legem *statuit quod non prodatur populo malitia sic confessi. * Sic MS.

12. Conjectura probabilis est quod talis qui rite vivit est diaconus vel sacerdos, sicut enim conjicio quod iste sancte vivendo constitutus est a Domino in tali officio sive statu.

13. Non ex testificatione hominis ordinatus, sed ex justificatione operis capienda est probabilis evidentia talis status. Deus enim potest sine tali ministerio digno vel indigno personam aliam in tali statu constituere, nec est probabilior evidentia quam ex vita ideo habita; sancta vita et doctrina Catholica satis est ecclesie militanti.

Error in principio et in fine.

14. Conversatio mala prelati subtrahit acceptionem ordinum et aliorum sacramentorum a subditis qui tamen,

COLL. &c. necessitate regente, possent hoc ab eis supplicando capere
 XXXVIII. ————— piè, quod Deus supplet per ministros suos diabolos opus
 vel finem officij quod jurant.

* excu-
 sando. 15. Antiqui ex cupiditate temporalium, ex spe mutuo-
 rum juvaminum, aut ex causa excusandi libidinis, licet
 desperent de prole adinvicem non vere matrimonialiter
 copulantur. Hec verba *accipiam te in uxorem* eligibi-
 liores sunt in contractu matrimoniali quam ista, *ego te acci-
 pio in uxorem*; et quod contrahendo cum una per hec
 verba de presenti non debent frustrari verba prima per
 secundaria de presenti. Papa qui se falso nominat servum
 servorum Dei sub nullo gradu est in opere evangelij sed
 mundano: et si sit in ordine aliquo, est in ordine demo-
 num, id eo plus culpabiliter servientium.

16. Papa non dispensat cum simonia vel voto temerario
 cum ipse sit capitalis simoniacus vovens temerarie servare
 statum summe damnabilem hic in via.

17. Quod papa sit summus pontifex est ridiculum et
 Christus nec in Petro nec in alio talem approbavit dig-
 nitatem.

18. Papa est patulus Antichristus, non solum illa sim-
 plex persona, sed multitudo paparum a tempore dotacio-
 nis ecclesie, cardinalium, episcoporum et suorum compli-
 cium aliorum, est Antichristi persona composita monstruosa.
 Non tamen repugnat quin Gregorius et alij pape qui in
 vita sua fecerunt bona de genere fructuose finaliter peni-
 tebant.

19. Petrus et Clemens cum certis adjutoribus in fide
 non fuerunt pape, sed Dei adjutores ad edificandum
 ecclesiam Domini nostri Jesu Christi.

* est. 20. Quod ex fide evangelij ista papalis preheminentia
 sumeret ortum *este eque falsum sicut quod ex predicta
 veritate error quilibet est exortus.

21. Duodecim sunt procuratores et discipuli Antichristi:
 papa, cardinales, patriarche, archiepiscopi, archidiaconi,
 officiales, decani, monachi, bifurcati, canonici, pseudofra-
 tres introducti jam ultimo, et questores.

22. Patet luce clarius quod quicumque est humilior, COLL. &c. XXXVIII.
ecclesie servientior, et in amore Christi quoad suam eccle-
siam amantior, est in ecclesia militanti major, et proximus
Christi vicarius reputandus.

23. Omnis injuste occupans quodcumque bonum Dei,
capit rapina, furto vel latrocinio aliena.

24. Nec testium depositio, nec judicis sententia, nec
corporalis possessio, sicut nec deffensus hereditarius, nec
humana commutatio sive donatio confert homini sine gra-
tia dominium vel jus ad aliquod vel——— *Omnia ista
summus error si intelligatur de gracia gratum faciente.*

25. Nisi esset lex caritatis intrinsecus nemo propter
cartas vel bullas habet habilitatem vel justitiam plus vel
minus.

27. Nos non debemus prestare vel donare aliquid pec-
catori dum cognoscimus ipsum esse talem; quia sic fove-
remus proditorem Domini nostri,

27. Sicut princeps vel dominus tempore quo est in
peccato mortali non sortitur nomen illius officij nisi nomine
tenuis et satis equivoce: Sic nec papa, episcopus vel sacer-
dos dum lapsus fuerit in peccato mortali.

28. Omnis habituatus in peccato mortali caret quod-
cumque dominio et usu licito etiam boni de genere.

29. Ex principiis fidei est per se notum quod quicquid
homo in mortali peccato fecerit, peccat mortaliter.

30. Ad verum seculare dominium requiritur justitia
dominantis, sic quod nullus existens in peccato mortali est
dominus alicujus rei.

31. Omnes religiosi moderni seipsos necessitant ut ypo-
crisi maculentur, ad hoc enim sonat sua professio ut sic
jejunent, ut sic induant, et ut sic faciant, quanquam *diffe-
rentur ab alijs observant. * differen-
tèr.

32. Omnis privata religio sapit ut sic imperfectionem
et peccatum, quo homo indisponitur ad Deum libere ser-
viendum.

33. Religio sive regula privata sapit presumptionem arro-
gantem et blasphemantem supra Deum, et religiosi talium

COLL. &c. ordinum per ypocrisin * * * * * religionis presumunt
 XXXVIII. se super apostolos exaltare.

34. Christus in scriptura non docet aliquam speciem ordinis de capitulo Antichristi, et ideo non est de suo beneplacito quod sint tales. Capitulum autem istud in istis speciebus duodecim continetur qui sunt; papa, cardinales, patriarche, archiepiscopi, episcopi, archidiaconi, officiales, decani, monachi, canonici, fratres de quatuor ordinibus, et questores.

35. Ex fide et operibus quatuor sectarum, (que sunt
 * Sic MS. pro clerici-
 * clerici seserius, varius monachus, varius canonicus, fra-
 * tibus) evidenter elicio quod nulla persona istarum est mem-
 * brum Christi in justorum catalogo nisi in fine dierum
 * desiverit acceptatam stolide sectam suam.

36. Paulus quondam phariseus propter meliorem sec-
 * tam Christi de ejus licentia sectam illam dereliquit, et hic
 * ratio est quare claustrales cujuscunq; secte fuerint vel
 * obligationis, aut quocunque juramento stulto astricti, de-
 * bent libere ex mandato Christi *exire ista vincula, et
 * induere libere sectam Christi.

37. Sufficit laicis quod dent quandoque servis Dei deci-
 * mas suorum proventuum, et *cum istis paribus semper
 * dant ecclesie, licet non semper clero cesario a papa vel
 * suis subditis assignato.

38. *Potestas *que *fingitur a papa et aliis 4^{te} novis
 * * * potes-
 * tates que
 * fide sunt. sectis, sunt fide, et ad seducendum subditos diabolicè
 * introducte; ut et prelatorum Cesariorum excommuni-
 * catio, citatio, incarcerationio, et redditus pecuniarum ven-
 * dicatio.

39. Multi sacerdotes simplices superant prelatos in hujusmodi potestate, immo videtur fidelibus quod magnitudo potestatis spiritualis plus consequitur filium imitatore Christum in moribus quam prelatum qui per cardinales et tales apostatas est electus.

40. Subtrahat populus decimas, oblationes, et alias elemosynas privatas ab indignis pape Antichristi discipulis, cum hoc facere debeat de lege Dei, nec est timenda sed

gaudenter acceptanda maledictio vel censura quam infe-
runt discipuli Antichristi. COLL. &c.
XXXVIII.

41. Dominus papa, episcopi, omnes religiosi vel puri clerici titulo perpetue possessionis dotati, debent renunciare illis in manibus brachij secularis, quod si pervicaciter noluerint, per seculares dominos debent cogi.

42. Non est major hereticus vel Antichristus quam ille clericus qui docet quod licitum est sacerdotibus et Levitis, legis gratia dotari in possessioibus temporalibus: et si sint aliqui heretici vel blasfemi sunt illi clerici qui hoc docent. Non solum possunt domini temporales auferre bona fortune ab ecclesia habitualiter delinquente, nec solum hoc eis licet, sed debent hoc facere sub pena damnationis eterne.

43. Deus non approbat quenquam dominari civiliter vel civiliter judicare.

44. Si fiat objectio contra* donationem ecclesie impug-
nantes de beato Benedicto, Gregorio, ac Bernardo qui
pauca temporalia in pauperie possidebant, dicitur quod
illi finaliter penitebant; Si iterum objicias quod fingo
sanctos istos de ista declinatione a lege Domini finaliter
penitere, doce tu quod sint sancti, et ego docebo quod
finaliter penitebant. * impug-
nantes do-
nationem
ecclesie.

45. Si scripture sacre et rationi debemus credere, patet quod discipuli Christi non habent potestatem *coactam
exigendi temporalia per censuras, sed hoc affectantes sunt
filii Heli, filii Belial. * Sic MS.
for pro co-
actè vel
potius con-
cessam.

46. Quelibet essentia habet unum suppositum secundum quod producit aliud suppositum par priori, et ista est actio remanens perfectissima possibilis nature.

47. Quelibet essentia sive corporea sive incorporea est communis tribus suppositis, et omnibus illis communiter proprietates insunt accidentia et operationes.

48. Deus potest nihil annihilare, nec mundum majorare vel minorare, sed animas usque ad certum numerum creare et non ultra.

49. Impossibile est duas substantias corporeas coexis-

COLL. &c. tere in unam continue quiescentem localiter, et aliam con-
 XXXVIII. pus quiescens continue penetrantem.

50. Quidlibet est Deus.

51. Quelibet creatura est Deus.

52. Ubique autem Deus est, cum omne Ens sit Deus.

53. Omnia que eveniant absolute, necessario eveniant.

54. Infans prescitus et baptizatus proprio nomine veniet diutius et peccabit in spiritum sanctum, ratione cuius merebitur ut perpetuo condemnetur, et ita nulli ignis potest ipsum comburere pro hoc tempore vel instanti.

55. Ut fidem assero quod omnia que eveniant et sic de necessitate veniant. Paulus prescitus non potest vix penitere, hoc est, contritione peccatum finalis impenitentiae debere vel ipsum non debere habere.

Quibus Articulis lectis similibus mandato et voluntate, Dominus Antonius Concordiensis legebat unam scedulam per modum sententie condemnatorie dictorum articulorum sub huiusmodi tenore :

Sacrosancta Constantiensis synodus generalis ecclesiam Catholicam representans ad extirpationem scismatis, errorumque et heresium in spiritu sancto legitime congregata, [auditis et] diligenter examinatis libris et opusculis damnate memorie Johannis Wicleff per doctores et magistros studij generalis Oxoniensis qui de iisdem libris et opusculis ducentos et sexaginta reprobos extirpando collegerunt, et *scolastici reprobarunt, Articulos quos omnes hec sancta synodus petit examinari et sepius recenseri per partes ecclesie Romane, cardinales, episcopos, abbates, magistros in theologia, doctores utriusque juris, et alios plures notabiles diversorum et generalium studiorum in multitudine copiosa.

Sic MS. Quibus Articulis sic examinatis *sicut, est repertum, aliquos et plures ex istis fuisse et esse notorie hereticos, et dudum a sanctis patribus reprobatos, quosdam blasphemos, alios erroneos, alios scandalosos, quosdam piam aurium offensivos, nonnullos eorundem contrarios et seditiosos. Propterea in nomine Jesu Christi domini nostri hec

260
 *scholasticè.

sancta synodus predictos articulos et eorum *quodlibet
 hoc perpetuo decreto reprobatur et condemnat, jubens
 omnibus et singulis catholicis sub anathematis intermina-
 cione ne *defendere a setero dictos articulos aut ipsorum
 quemlibet audeant predicare, dogmatizare, offerre, vel
 tenere, super quibus exequendis et debite conservandis
 mandat dicta sancta synodus ordinarijs locorum ac in-
 quistoribus heretice pravitatis secundum jura et canonicas
 sanctiones. Si quis vero premissorum hujus sacri consilij
 decreti et sententiarum violator extiterit, animadversione
 debita per locorum ordinarios, quocunque privilegio non
 obstante, sacri hujus autoritate consilij puniatur.

COLL. &c.
 XXXVIII.
 XXXIX.

* Sic MS.
 quolibet.
 * licet de-
 fendere.

But for all this rigorous censure, and profusion of ill language, to traduce the memory of Dr. Wickliffe, within four A.D. 1534. years after, the University unanimously changed their minds concerning the Papal Power and Supremacy and declared it to be their judgment, That the Bishop of Rome has no more jurisdiction granted to him by God in Holy Scripture, in this kingdom of England than any other foreign Bishop: which is the same with what Dr. Wickliffe was before condemned by them for asserting, viz. That it is not necessary to salvation to believe, that the Roman Church is supreme among the Churches: and that the Pope is not the immediate and proximate Vicar of Christ: or, that it is ridiculous to assert, that the Pope is Summus Pontifex.

No. XXXIX.

A Letter of Bishop Fisher's to Mr. Secretary Cromwell to desire him to excuse his not answering any more of his Letters to him.

An Original, signed by the Bp. himself.

AFTER my ryght humble commendations I most intierly beseeche you that I no farther be moved to make awnswere unto yowr letters, for I se that myn awnswere must rather growe into a greate booke or els be insufficient so that ye

Cotton
 Library
 Cleopat.
 E. vi.
 fol. 161.

COLL. &c.
XXXIX. shall still therby take occasion to be offended and I nothing proffitt. For I perceyve that every thinge that I writte is ascrybed either to craft or to willfulnes or to affection or to unkyndnes agaynst my soveraigne, so that my writinge rather provokithe you to displeasur then it forderithe me in any poynt concernyng your favour which I most affectually coveyte. Nothing I read in all your longe letters that I take any comfort of but the oonely subscription, wherein it pleaseide you to call you my ffrende, whiche undoutydly was a worde of moche consolation unto me, and therefor I beseache you so to contynew, and so to shew yourself unto me at this tyme. In 2 poynts of my writinge methought ye were most offendide, and boithe concernyd the King's grace. That oone was where I excusyd myself by the displeasur that his highnes toke with me when I spake oons or twyse untill hyme of lyke matters. That other was where I towchide his great mattier. And as to the furst methinke it veary herde, that I myght not signyfye unto you suche things secretly as myght be most affectuall for myn excuse. And as to the secounde my study and purpose was specially to declyne that I shulde not be strayed to offende his grace in that behalf, for thene I must nedis declare my conscyence, the whiche as thane I wrote I wulde be loithe to doo eny more largely than I have doone. Not that I condeme eny other menys conscyence, there conscyence maye save theme, and myne must save me. Wherefor, good master Cromewell, I beseiche you for the love of God be contentid with this myne awnswere, and to give creadence unto my brother in suche thingis as he hathe to saye unto you. Thus fare ye weale. At Rochestre, the 31 daye of Januarie,

* in the
Bishop's
own hand.

*by your
*faithfull Beadman,
Jo. Roffe.

No. XL.

COLL. &c.
XL.

Bishop Fisher's Answer to some Queries sent to him, to which his Answer was required in writing.

An Original written all with the Bishop's own hand. Cotton Library, Cleopatra, E vi. fol. 174.

Ad 1^m. R. tantum intercidisse temporis intervallum ex quo ad meas manus he litere pervenerunt, ut jam exciderint propemodum omnia, atque pertenues earum superextant imagines, ita ut neque nomen scriptoris hujus nunc teneam, a quo neque literas aut nuncium, aut verbulum ullum citra id temporis vel receperim vel audiverim.

Ad 2^m. R. me neque jam recordari nomenclaturam domini ipsius, quanquam non dubitem eum unum ex Germanie principibus ut ipse dixit fuisse.

Ad 3^m et 4^m. R. satis perspicuum esse non eundem intelligi debere per literas E. V. et per Episcopum Roffensem. Nam postea mentionem apertam facit de Episcopo Roffensi. Quare quum sic eruditus ut ex literis apparet voluisset dixisse vel ab eodem E. V. vel ab eodem Epo Roffensi, sed et quum obtegere *moliavit sic nomen *moliatur. prioris, cur jam prodiderit si eundem utroque loco intellexisset? Accedit his quod ego nunquam clanculo sim allocutus dictam D. Katherinam citra id temporis, quo Regia Majestas in mandatis mihi dederat, ut essem illi in consilijs in ipsius negotio.

Ad 5^m. R. Scriptorem ipsum polliceri potuisse quot et quanta voluisset ut et hodie faciunt multi qui montes et maria pollicentur et nichil horum prestant., ceterum hoc scio quod me nec autore neque consule talia fuerit pollicitus aut scripserit ea, nec denique me fuisse secretorum hujusmodi conscium.

Ad 6^m. R. me penitus ignorare qui fuerant.

Ad 7^m. R. verisimile esse quoddam fuisse inter ----- *positum et ad quendam e Germanie principibus deferendum, sed fortè. ita me Deus juvet nunc ignorare vel cujusmodi ipsum fuerat, vel ad quem illorum principum mittebatur nisi

COLL. &c. fuerit ad Dominum Ferdinandum qui nunc est Rex
XL. Hungarie.

Ad 8^m. R. me non certum esse de numero, sed ut nunc occurrit memorie septem aut octo arbitror me scripsisse. Nam quum esset negotium ipsum arduum tam propter excellentiam personarum quas concernebat, quam propter districtam injunctionem a Majestate Regia michi factam tantum opere et diligentie ob exquirendam ejus veritatem impendi, ne forte me ipsum et alios fallerem, quantum nulli alteri rei per universam vitam impenderim ante.

Ad 9^m. R. me nescire. Neque enim sollicitus eram de ceteris, sed de postremis duobus a me scriptis qui priorum omnium nervos in se continere videbantur quorum alterum jam habet D. Cantuariensis.

Ad 10^m. R. me nullum unquam ex dictis libris aut copijs eorundem trans mare misisse aut consensisse ut mitteretur, neque dictum scriptorem aut ministrum ejus, me conscio, quenquam ex eis habuisse.

Ad 11^m. R. satis patere ex priori, quod ad neminem, me consule aut conscio, liber ullus aut exemplar trans mare missum fuisset.

Ad 12^m. R. nihil hujusmodi per me attentatum aut animo destinatum fuisse.

Ad 13^m. R. neque meo consilio, neque ~~suasu~~ aut scientia libellum illum prodiisse.

Ad 14^m. R. me penitus ignorare quis fuerit ipsius autor, at quantum suspicor ex stilo et ingenij acumine fuisse Cornelium Agrippam.

Ad 15^m. R. me neque consilium aut consensum Abelo prestitisse. quatenus libellus talis ederetur. Sed neque librum ullum unquam ex meis habuit, me conscio.

Ad 16^m. R. nuncium ipsum nullo tempore per mediam hore partem intra meas edes fuisse.

Ad 17^m. R. me omnino ignorare nisi fortè quod se declarari cupierit apud illos principes ob jusjurandum quod ipsa prius prestiterat de integritate sui corporis, nempe quod fuisset incognita ab illustri principe Arthuro.

Ad 18^m. R. me certum esse quod nullum consilium COLL. &c.
XL. aut consensum dederim ut scriptor ille quicquam admoliretur apud Germanie principes adversus Regem, sed neque literas illas ad manus venisse priusquam nuncius ipse discessisset a me.

Ad 19^m pariter et 20^m. R. literas illas a dicta D. Katherina missas ad me fuisse, cujus consilij ex mandato Regie Majestatis juratus eram neque literas eas, quantum michi vise fuerant, quicquam in se comprehendisse preter ea que spectabant ad integritatis dicte D. Ka: declarationem.

Ad 21^m. R. me causam aliam ignorare quam ut scire me cuperet se non omnino contemni a magnatibus aliarum Regionum, sed per quem ad manus meas venerunt memoria non teneo: Quia nunc unum, nunc alterum ad me tunc temporis misit. Quanquam et tunc et diu antea abstinuerim a consilij ei dandis preterquam in aliquibus que ad conscientiam ipsius attinebant.

Ad 22^m. R. me nescire quis eas scripserit nisi fuerit manus Doctoris Adeson. Ceterum de quo loco intellexerit nihil habeo certi.

Ad 23^m. R. me neque Georgium Daium neque alium quenquam hominum increpasse aut literis aut verbo quod regie cause favisset. Memini tamen me dixisse, quum audissem eum neutram opinionem fuisse secutum, id michi in Daio displicuisse, quod utriusque partis captare benevolentiam studuisset, et neque aliud dixi aut scripsi unquam. Et ob hec verba fortassis adeo studiose purgavit sese suis literis.

Ad 24^m. R. me neminem unquam increpasse pro defensione Regij negotij aut quenquam unquam adhortatum fuisse ut cause dicte Ka: patrocinaretur.

Ad 25^m. R. Georgium Daium potuisse de me judicare quid libuisset. Ego tamen certum habeo me nichil affectasse nisi ut vinceret veritas.

Ad 26^m. fateor me talia scripsisse et dixisse.

Ad 27^m. R. me non illud ideo scripsisse quod ipsum

COLL. &c. averterem ab opinione sua, sed ut desisteret me sollicitare
 XL. ad asserendum quicquam contra conscientiam meam.

* Sic Archieps
 Cant.

Ad 28^m. R. me id ideo scripsisse quod non* fuisset dignatus me suis literis premonere de negotio propter quod accersierat me ut preparatio ~~esset~~ quid illis qui tum prestò erant essem responsurus. Sed quum venissem Knolliam, orabam dominationem ejus ut non suspicaretur me velle peccare in spiritum sanctum, aut oppugnando veritatem agnitam, aut non admittendo veritatem, si posset ea vel per Universitatum scripta, vel per alios quoslibet evidenter ostendi.

Ad 29^m. R. Regiam Majestatem optime novisse, quod domina D. Ka: non semel ex illius consensu pro me miserit ob quosdam scrupulos offendentes conscientiam suam, atque id quidem longè priusquam esset hoc negotium inchoatum. Ad ipsos vero scrupulos depellendos et presens multis verbis usus sum, et absens postea literas quasdam scripsi.

Ad 30^m. R. me nunquam audivisse ab eâ vel quod desperavit de misericordia vel quod perjurium commisisset.

Ad 31^m. R. me si id scripserim, ideo scripsisse, quod scrupulos omnes conscientie deponeret, et animum omnino stabiliret in spe et fiducia promissionum Christi.

Ad 32^m. R. me jam non tenere quis articulos ipsos attulerat, neque talium fuisse jam memorem, nisi quod nunc legissem eos.

Ad 33^m. R. me certissimum habere quod liber ille, quem adversus Achademiæ sententiam scripserim, non fuerit missus Luthesiam. Nam eo tempore, quo dicta D. Ka: petierat ipsum a me, vix media pars ejus abs me scripta fuit: sed neque ceterorum aliquem ex mea noticia aut assensu illuc fuisse missum.

Ad 34^m. R. me nec istarum literarum fuisse recordatum nisi jam eas perspexissem.

Ad 35^m. R. me nichil in illis verbis concepissem, quod malevolum animum adversus Majestatem Regiam pre se ferebat.

Ad 36^m. R. me omnino jam ignorare.

COLL. &c.
XL.
XLI.

Ad 37^m. R. me verè credere, quod Bainus animo maligno adversus Regem ea non scripserit.

Ad 38^m. R. latere me quid sibi velint, nisi quod libenter se immiscere deinceps nolisset cum negocijs illorum duorum locorum.

Ad 39^m. R. multos viros doctos et eosdem veteris testamenti laudatos interpretes hanc interpretationem in suis commentarijs constanter fuisse secutos, quod videlicet *de fratre vivente prohibitio Levitica debeat intelligi*.

Ad 40^m. R. quod tametsi plerosque recenseam ipse in meis scriptis, qui jam dictam interpretationem affirmant, non tamen ex ipsis per omnia meam sententiam firmare molior, ut abundè liquet ex his, que scripseram.

No. XLI.

The Answers made by Mr. John Fisher Doctor of Divinity to the Interrogatorijs minstred unto hym the 12th daie of June Anno R. R. H. 8^{vi} 27^o within the Toure of London, examined therupon by Mr. Thomas Bedyll and Mr. Richard Layton Clerks of the King's Counsaill in the presence of Sir Edmund Walsyngham Knyght Leievetenant of the said Toure, Henrie Polstede, John Whalley and Mr. John Ap Rice Notarie underwriten and sworne in verbo sacerdotii, that he wolde truely answeere to the said Interrogatorijs, and to every parte of the same as ferre as he knoweth or remembreth. ibid. fol. 169.

1. To the firste interrogatorie he saith, that whan thacte by the whiche wordes are made treason was a making Robert Fissher his brother camme to hym to the Towre and sayd, that there was an acte in hande in the comen house by

Jo. Roff:*

* Every page of this examination is thus subscribed with the Bishop's own hand.

COLL. &c. the which speking of certain words agenst the King shulde
 XLI. be made treason. And bicause it was thought, by divers
 of the said house, that no man lightly coulde beware of
 the penaltie of the said statute, Therfor there was moche
 sticking at the same in the commen house: And onlesse
 there were added in the same, that the said wordes shulde
 be spoken maliciouslie he thought the same shulde not
 passe. And than this respondent asked hym whether
 men shulde be bounde to make any answeere to any poynte
 upon an othe by the vertue of the same acte, like as they
 were by the tother acte of succession. And he said Noe.
 And no other communication had this deponent with hym
 to his remembrance at any tyme touching the said actes
 or any of them.

2. To the seconde jnterrogatorie he hath answered afore
 and no other answeere can he make to the same as he
 saith.

3. To the 3d he dothe not remembre, that ever he had
 suche communication with his brother.

4. To the 4th he answereth as afore and no otherwise
 can he answeere.

5. To the 5th jnterrogatorie this examined answered,
 that there hathe ben letters sent betwene hym and Mr.
 More to and fro upon a 4 or therabouts from either of
 theym to other, senn they cam to the towre, touching the
 matiers specified in thies jnterrogatorie. And, declaring
 the contents and effect of the same as ferre as he can
 remembre, saith, that he remembreth not theeffect of
 any of the letters that either he sent to Mr. More, or that
 he receaved of Mr. More before the firste being of the
 counsaill here with this examined; but he dothe well
 remembre, that there were lettres sent to and fro betwene
 hym and Mr. More bifore that tyme. And the firste
 occasion of writing betwene theym proceded first of Mr.
 More, and nowe being better remembred saith, that the
 effect of the first lettre that Mr. More did write unto hym

Jo. Roff:

after they cam to the Towre was to knowe theeffect of this COLL. &c
XLI. deponent's answer which he had made to the counsaile in the matier for the which he was first committed to the Toure. And than this respondent signified unto hym by his lettres what answer he had made theym. Examined whether he doth remembre theeffect of any other lettres, that went betwene hym and Mr. More before the firste being of the counsaill with theym sayth, No. And further examined what lettres went betwene theym syns that tyme, saith, that sone after that the counsaill had ben here firste to examyne this respondent, George, Mr. Lieuutenant's servant, shewed this examined a lettre which Mr. More had directed to his doughter maistres Roper, theeffect wherof was this, that when the counsaill had purposed unto hym the matier for the which they cam for, he said, that he would not dispute the King's title, and that Mr. Secretarie gave hym good words at his departure: And that is all that he can remembre of theeffect of the same lettre. And by thoccasion of that lettre this respondent wrote to Mr. More a lettre to knowe a more clerenes of his answer therin, which lettre he did sende hym by the said George. And therupon he receaved a lettre again from the said Mr. More by the hands of the said George concernyng his answer, but what the same was, he saith, he hathe not in his remembrance. And after a deliberrete tyme, about a thre or 4 daies, this respondent calling to his remembrance the wordes that his brother Robert Fisher had spoken unto hym long before *vis.* howe that the commens did stik and woll not suffre the said statute to passe onlesse the worde *maliciouslie* were putt in it, wrote a lettre conteignyng the same wordes in effecte, adding this, that 'yf this worde *maliciouslie* were putt in the said statute, he thought it shulde be no daunger yf a man did answer to the question that was purposed unto hym by the counsaill after his owne mynde, so that he did not the same *maliciouslie*.' But, he

Jo. Roff:

COLL. &c. saith, he nothing required or demanded in the said lettres
XLI. the advyse or counsaill of Mr. More therin, as he is sure, that the same Mr. More hymself wolde testifie yf he be examined. And therupon, as this deponent thinketh, Mr. More supposing, that this respondent's answer, and his shulde be very nyghe and like, and that the counsaill therby wolde thinke, that the tone of theym had taken light of the tother, wolde, that the same suspicion shulde be avoyded, and therupon wrote a lettre to this respondent accordinglye.

Further examined whether any other lettres or intelligence were betwene theym, saith, that soone after the last being of the counsaill in the Towre, and after the taking away of Mr. Moore's bokes from hym the said George cam to this deponent and tolde hym, that Mr. More was in a pecke of troubles, and that he desired to have either by writing or by worde of mouthe certain knowlege what answer this respondent had made to the counsaill. And therupon this respondent wrote unto hym a lettre, that 'he had made his answer according to the statute which condempneth no man but hym, that speketh *'maliciouslie* against the King's title. And that the statute did compelle no man to answer to the question that was purposed hym; and that he besought theym that he shulde not be constrayned to make further or other answer than the said statute did binde hym, but 'wolde suffre hym to enjoye the benefits of the same statute:' Which was all theeffect of the saide lettre, as farre as this deponent doth remembre. And saith further, that he dothe not remembre any other lettres or message sent from hym, to Mr. More, or from Mr. More to hym syns shat tyme, nor theeffect of any other lettre or message going betwene theym at any tyme other than, are before expressed.

To the 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, and 17 interrogatories he hath answered bfore, and otherwise he cannot answer to the same as he saith.

Jo. Roff:

To the 18th he saith and answered no: he knoweth COLL. &c. XLI.
where none is.

To the 19th he saith, that they were all brent as soone as had redde theym, and to thentente that theeffectes therof shulde have ben kept secrete yf it mought be. For he was lothe to be reproved of his promise made to Mr. Lieutenante, that he wolde not doo that thing for the which *he* might be putt in blame. Albeit yf that there were more in the said Lettres than is before touched, he is sure it was nothing else but exhortacion either of other to take patience in their adversite, and to call God for grace, and praying for their enemies, and nothing else that shulde hurte or offende any man erthely as he saith.

To the 20th he answereth, that he receaved no other lettres than afore touched.

To the 21th jnt. he saith, that he receaved the same boke from Edward White by thands of the said George in the tyme specified in this jnterrogatorie.

To the 22th jnt. he saith, that he remembreth no communication betweene hym and Edward White; but he saith, that there was certain communication betweene Wilson and hym about the tyme that they redde the said statutes, and saith that he *threppened upon this respon-^{* affirmed,} dent, that the counsaill had purposed unto this respondent,^{alleged.} two poyntes, and this respondent said, that he remembred not that it was but one which was this, howe the counsaill was sent hether to knowe his opinion touching the statute of supreme hedde, and no other did he remembre that they shulde purpose unto hym. And said further, that Wilson said, that he stade behinde the doore and harde partely what this respondent did answeare unto theym, and howe he harde Mr. Bedyls reasons that he made than.

And saith, that after that the said Wilson had redde the said statutes to this respondent ones or twyes, this respondent caused theym to be brende, bicause he thought,
Jo. Roff:

COLL. &c.
XLI. that yf M. Lieutenant had founde theym with this examinat, he wolde have made moche bysynes therupon.

To the 23th jnt. he saith, that he dothe not remembre, that ever he declared to Wilson or to any man what answer he was disposed to make, whatsoever communication were betwene theym therof.

To the 24th he saith, that he receved no *suche* lettres to his knowledge or remembrance but one that Erasmus did sende unto hym, which this respondents brother Robert Fissher shewed firste to Mr. Secretarie er it cam to hym.

To the 25th and 26th he saith, that George afore-named brought hym worde sen the last sitting of the counsaill here, that he harde saye of Maistres Roper, that this respondent was made a Cardinall. And than this respondent said in the presence of the same George and Wilson, that *yf the Cardinall's hatt were layed at his feete he wolde not stoupe to take it up, he did set so little by it.*

To the 27th he saith, he receaved no other lottres touching the same busynes.

To the 28th he saith, that he receaved no *such* lettres nor message to his knowlege or his remembrance.

To the 29th he saith, that he wrote oftentimes lettres touching his diett to hym that provided his diet, as to Robert Fisher while he lived, and to Edward White: And a lettre to my Lady of Oxford for her comforte: And lettres of request to certain of his frendes that he myght paye Mr. Lieutenant for his diet, to whome he was in grete dett, and he was in grete nede.

To the 30th, he receved certain money of eche of theym according to his request, and no other answer as he saith.

Item, examined whether there were any *suche* confederacie or compaction betwene this respondent and his servant Wilson and the said George, that saied conveyng of lettres and messages to and fro shulde be kept close yf
Jo. Roff:

they were examined therof, saith, they were agreyd so COLL. &c.
together to kepe the same as secrete as they might.

Jo. Roffs.

XL.
XLII

No. XLII.

Intimacio facta D. Regi per Priorem et Capitulum Ecclesie Roffensis de eleccione futuri episcopi Roffensis.

EXCELLENTISSIMO in Christo principi et Domino nostro Regi: Hil-
Domino Henrico octavo Dei Gracia Regi Anglie et Fran-^{sey.}
cie Fidei Defensori ac Domino Hibernie et in terris eccle-
sie Anglicane supremo capiti: Vestri humiles et devoti
Fratr Laurencius Merworth prior sancte vestre cathedra-
lis Roffi; et ejusdem loci Capitulum Vestre Roffensis Dio-
ceseos Salutem in Deo, per quem reges regnant et princi-
pes dominantur. Noverit excellencia Vestra, quoad nos
dicti Prior et Conventus, licencia a Majestate vestra
concessa ad eligendum Episcopum futurum quoad pasto-
rem dicte vestre cathedralis Roffensis jam pastore carentis,
et hoc per forisfacturam ultimi incumbentis ibidem secun-
dum effectum cujusdam Statuti in Parlamento vestro anno
regni vestri vicesimo quinto inde editi, in domo nostra
Capitulari septimo die mensis Augusti jam instantis, invo-
cata Spiritûs sancti gracia, ac servatis per nos in hac parte
de jure servandis; et secundum consuetudinem nostram in
ea parte hactenus usitatam, consensu et assensu omnium
nostrorum interesse in hac parte habencium, venerabilem
virum dominum Johannem Hilsey in sacra theologia pro-
fessorem dicte ecclesie vestre Roffensis in episcopum et
pastorem juxta tenorem literarum vestre regie majestatis
nobis in hac parte missarum rite et legitime eligimus. Que
omnia et singula vestre excellencie per tenorem presen-
cium intimamus. In cujus rei testimonium sigillum nos-
trum commune presentibus apponi fecimus. Dat in Domo
nostra Capitulari viij die Augusti Anno Regni Vestri
vicesimo septimo.

COLL. &c.
XLIII.

No. XLIII.

Rymer,
Fœdera,
&c.
Tom. XIV.
p. 487.
An. 26
Hen. VIII.

*Fidelitates et Juramenta per Monachos et Conventus
diversorum Ordinum Regi præstita.*

QUUM ea sit non solum Christianæ Religionis et Pietatis Ratio, sed nostræ etiam Obedientiæ Regula, ut Domino nostro *Henrico ejus nominis Octavo*, cui uni et soli, post Christum Jesum Servatorem nostrum, debemus universæ, non modo omnimodam in Cristo, et eandem sinceram, integram perpetuamque *Animi Devotionem, Fidem, Observantiam, Honorem, Cultum, Reverentiam* præstemus, sed etiam de eadem Fide et Observantia nostra Rationem quotienscumq; postulabitur, reddamus, et palam omnibus, si res poscat, libentissimè testemur.

Noverint universi ad quos præsens scriptum pervenerit quod Nos *Priores et conventus fratrum, videlicet, Minorum Ordinis Sancti Francisci, Fratrum Predicatorum ordinis Sancti Dominici, fratrum Heremitarum Sancti Augustini, et Fratrum Carmelitarum Ordinis Beate Mariæ Virginis*, etiam *Prior ordinis Cruciferorum in Civitate Londoniæ*, uno ore et voce atque unanimi omnium et singulorum consensu et assensu, hoc scripto nostro sub sigillis nostris communibus in domibus nostris Capitularibus dato, pro nobis et successoribus nostris omnibus et singulis in perpetuum *Profitemur Testamur ac fideliter Promittimus et Spondemus* nos dictos *Priores et Conventus* et successores nostros omnes et singulos, integram, inviolatam, sinceram, perpetuamq; *Fidem Observantiam, et obedientiam* semper præstatueros erga Dominum Regem nostrum *Henricum Octavum*, et erga Serenissimam *Reginam Annam* uxorem ejusdem, et erga castum sanctumque matrimonium nuper non solum inter eosdem justè et legittimè contractum, Ratum et Consummatum, sed etiam tam in *Duabus Convocationibus Cleri*, quam in *Parliamento Dominorum Spiritualium, et Temporalium, atque Communium* in eodem Parlamento congregatorum et præsentium determi-

natum et 'per *Thomam Cantuariensem Archiepiscopum* COLL. &c. XLIII.
solemniter confirmatum, et erga quamcunque aliam ejus-
dem *Henrici Regis nostri Uxorem* post mortem *prædictæ*
Annæ nunc uxoris ejus legittimè ducendam, et erga *Sobo-*
lem dicti Domini Regis Henrici ex *prædicta Anna* legit-
timè tam progenitam quam prognerandam, et erga *Sobo-*
lem dicti *Domini Regis* ex alia quacumque legitima uxore
post mortem *ejusdem Annæ* legittimè prognerandam, et
quòd hæc eadem Populo Notificabimus, Prædicabimus,
et Suadebimus ubicumque dabitur locus et occasio.

Item, quòd Confirmatum, Ratumque habemus, sem-
perque et perpetuò habituri simus quod prædictus *Rex*
noster Henricus est CAPUT ECCLESIAE ANGLI-
CANÆ.

Item, quòd Episcopus Romanus, qui in suis Bullis *Papæ*
nomen usurpat et summi Pontificis Principatum sibi arro-
gat, nihilo majoris, nèque auctoritatis aut jurisdictionis
habendus sit quàm *cæteri quivis Episcopi* in Anglia vel
alibi gentium in sua quisque diœcese.

Item, quòd soli dicto *Domino Regi* et successoribus suis
adhærebimus, atq; ejus Decreta ac Proclamationes, insuper
omnes Angliæ leges, atque etiam statuta omnia in Parlia-
mento, et per Parlamentum decreta, confirmata, stabili-
ta, et ratificata perpetuo manutenebimus, *Episcopi Romani*
Legibus, Decretis, et Canonibus, si qui contra Legem
Divinam et Sacram Scripturam esse inveniantur, in per-
petuum renunciantes.

Item, quòd nullus nostrûm omnium in ulla vel privata
vel publica concione quicquam ex Sacris Scripturis de-
sumptum ad alienum sensum detorquere præsumet, sed
quisque Christum ejusque verba et facta simpliciter apertè
sincerè et ad Normam seu Regulam sacrarum scripturarum
et verè Catholicorum, atque Orthodoxorum Doctorum,
prædicabit Catholicè et Orthodoxè.

Item, quòd unusquisque in suis orationibus et compre-
cationibus de more faciendis, primum omnium *Regem* tan-
quam SUPREMUM CAPUT ECCLESIAE ANGLI-

COLL. &c. CANÆ Deo et Populi Precibus commendabit, *deinde*
XLIII.

Reginam cum sua Sobole, tùm demum *Archiepiscopam Cantuariensem* cum ceteris cleri ordinibus prout videbitur.

Item, quòd omnes et singuli prædicti *Priores et Conventus* et successores nostri conscientiae ac Jusjurandi Sacramento nosmet firmiter obligamus, quòd omnia et singula prædicta fideliter inperpetuùm observabimus.

In cujus rei Testimonium huic instrumento vel Scripto nostro Communia Sigilla nostra appendimus, et nostra Nomina propria quisque Manu subscripsimus.

Datum in *Domibus nostris Capitularibus* Die Decimo Septimo Mensis Aprilis, Anno Ohristi Millesimo Quingentesimo Trigesimo quarto, et Regni vero Regis nostri Henrici Octavi Vigesimo Quinto.

Ego Frater *Edmundus Shetham* Prior spontè non coactè, unà cum et de consensu fratrum meorum, approbo et lubens animo ratifico manu propria.

Ego Frater *Robertus Strowddyll* Sacrae Scientiae Doctor, ac Domus ordinis *Fratrum Prædicatorum* Civitatis Londoniae humillimus Prior spontè et non coactè una cum consensu fratrum meorum hisce literis manum meam *pro-
 • Sic. riam apposui.

Ego Frater *Georgius Burnham*, Prior Ordinis *Carmelitarum* spontè et non coactè et de consensu omnium fratrum meorum.

Ego *Thomas Cuduer* Gardianus *Fratrum Minorum* cum unanimo consensu omnium fratrum meorum omnia prædicta approbo et confirmo, atque sigillum commune præsentibus appensum feci.

Ego Frater *Georgius Browne* Sacram Literarum Doctor et Prior *Augustini* una cum consensu omnium fratrum meorum.

Et MEMORANDVM, quòd prædicti Prior et Conventus ordinis fratrum Cruciferorum *Decimo Septimo die Aprilis* et Prædicti Prior et Conventus ordinis fratrum prædicatorum, *eodem Decimo Septimo die Aprilis*, et Prædicti Prior et Conventus ordinis Fratrum Minorum *Decimo*

Octavo die Aprilis, et Prædicti Prior et Conventus ordinis Fratrum Prædicatorum Decimo nono die Aprilis, et prædicti Prior et Conventus ordinis Fratrum Heremitarum Sancti Augustini Vicesimo die Aprilis Anno præsentis, coram Georgio Browne Priore Fratrum Heremitarum Sancti Augustini Londoniæ, et Priore Provinciali totius ordinis Fratrum Heremitarum ejusdem ordinis infra Regnum Angliæ, et Johanne Hylsey, Priore Provinciali totius ordinis fratrum Prædicatorum virtute Commissionis dicti Domini Regis eis directæ, personaliter in Domibus suis separatim capitularibus constituti, recognoverunt scriptum prædictum, ac omnia et singula in eodem contenta in forma prædicta.

COLL. &c.
XLIII.

FINIS.

